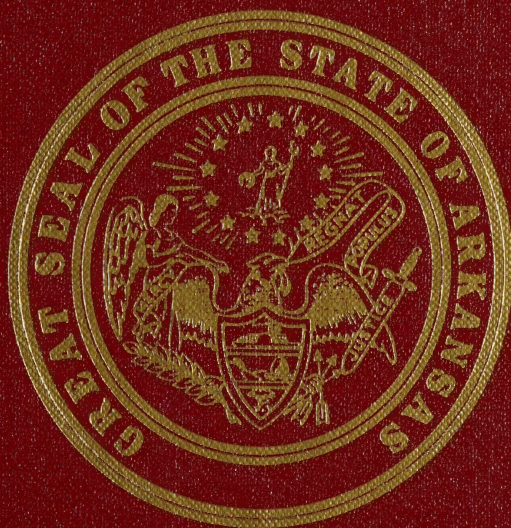


ARKANSAS CODE OF 1987 ANNOTATED

OFFICIAL EDITION



VOLUME 5B • TITLE 6, CH. 60-85

ARKANSAS CODE OF 1987 ANNOTATED



VOLUME 5B 2021 Replacement TITLE 6: EDUCATION (CHAPTERS 60-85)

Prepared by the Editorial Staff of the Publisher

Under the Direction and Supervision of the
ARKANSAS CODE REVISION COMMISSION

Speaker Matthew J. Shepherd, *Chair*

Representative Jimmy Gazaway

Senator Trent Garner

Senator Clarke Tucker

Honorable Camille W. Bennett

Honorable Vaughan Hankins

Honorable Robert F. Thompson III

Honorable Margaret Sova McCabe, *Dean, University of Arkansas at
Fayetteville School of Law*

Honorable Theresa Beiner, *Dean, University of Arkansas at
Little Rock William H. Bowen School of Law*

Honorable Brian Bowen, *Legislative Director, Office of
the Attorney General*

Honorable Matthew B. Miller, *Assistant Director for Legal Services of
the Bureau of Legislative Research*



LexisNexis®

COPYRIGHT © 1987, 1996, 2003, 2013, 2021

BY

THE STATE OF ARKANSAS

All Rights Reserved

LexisNexis and the Knowledge Burst logo are registered trademarks, and Michie is a trademark of Reed Elsevier Properties Inc. used under license. Matthew Bender is a registered trademark of Matthew Bender Properties Inc.

ISBN 978-1-66331-524-3



LexisNexis®

Matthew Bender & Company, Inc.

9443 Springboro Pike, Miamisburg, OH 45342

www.lexisnexis.com

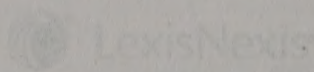
Sources

This volume contains legislation enacted by the Arkansas General Assembly through the 2021 Regular Session and the 2021 First Extraordinary Session. Annotations are to the following sources:

Arkansas Supreme Court and Arkansas Court of Appeals Opinions
Federal Supplement
Federal Reporter
United States Supreme Court Reports
Bankruptcy Reporter
Arkansas Law Notes
Arkansas Law Review
University of Arkansas at Little Rock Law Review
American Law Reports (ALR)

Titles of the Arkansas Code

1. General Provisions
2. Agriculture
3. Alcoholic Beverages
4. Business and Commercial Law
5. Criminal Offenses
6. Education
7. Elections
8. Environmental Law
9. Family Law
10. General Assembly
11. Labor and Industrial Relations
12. Law Enforcement, Emergency Management, and Military Affairs
13. Libraries, Archives, and Cultural Resources
14. Local Government
15. Natural Resources and Economic Development
16. Practice, Procedure, and Courts
17. Professions, Occupations, and Businesses
18. Property
19. Public Finance
20. Public Health and Welfare
21. Public Officers and Employees
22. Public Property
23. Public Utilities and Regulated Industries
24. Retirement and Pensions
25. State Government
26. Taxation
27. Transportation
28. Wills, Estates, and Fiduciary Relationships



Matthew Bender & Company, Inc.

2455 Springdale Place, Manhattan, NY 10002

© 2000 LexisNexis, Inc.

User's Guide

Differences in language, subsection order, punctuation, and other variations in the statute text from legislative acts, supplement pamphlets, and previous versions of the bound volume, are editorial changes made at the direction of the Arkansas Code Revision Commission pursuant to the authority granted in § 1-2-303.

Many of the Arkansas Code's research aids, as well as its organization and other features, are described in the User's Guide, which appears near the beginning of the bound Volume 1A of the Code.

GENERAL PROVISIONS

CORPORATE MATTERS

1. ARKANSAS EDUCATION TELEVISION COMMISSION
2. INTERSTATE COMPACTS
3. MISCELLANEOUS PROVISIONS RELATING TO ELEMENTARY, SECONDARY AND HIGHER EDUCATION
64. RESERVED

SUBTITLE 2. ELEMENTARY AND SECONDARY EDUCATION GENERALLY

CHAPTER 1

10. GENERAL PROVISIONS
11. EDUCATION
12. COUNTY BOARD OF EDUCATION, REPEALED
13. SCHOOL DISTRICT
14. SCHOOL ELECTORS
15. EDUCATIONAL STANDARDS AND QUALITY CERTAINTY
16. CURRICULUM
17. PERSONNEL
18. STUDENTS
19. TRANSPORTATION
20. FINANCES
21. SCHOOL PROPERTY AND SUPPLIES
22. ARKANSAS PROTECTED VICTIMS ACT, REPEALED
23. ARKANSAS QUALITY CERTAINTY ACT OF 2002
24. ETHICAL GUIDELINES AND STANDARDS
25. PUBLIC SCHOOL LIBRARY MEDIA AND TECHNOLOGY ACT
26. ARKANSAS TEACHER HOUSING DEVELOPMENT ACT, REPEALED
27. EDUCATIONAL ACTS FOR MILITARY CHILDREN, REPEALED
28. ARKANSAS MILITARY CHILD SCHOOL TRANSITION ACT OF 2001
29. RESERVED

SUBTITLE 3. SPECIAL EDUCATIONAL PROGRAMS

CHAPTER 1

10. GENERAL PROVISIONS, REPEALED
41. CHILDREN WITH DISABILITIES
42. GIFTED AND TALENTED CHILDREN
43. ARKANSAS SCHOOL FOR THE BLIND AND ARKANSAS SCHOOL FOR THE DEAF
44. ADULT LITERACY
45. ARKANSAS BETTER CHANCE PROGRAM ACT
46. ARKANSAS HIGH TECHNOLOGY TRAINING CENTER, REPEALED
47. DISTANCE LEARNING

TITLE 6

EDUCATION

(CHAPTERS 1-16 IN VOLUME 4A; CHAPTERS 17-19 IN
VOLUME 4B; CHAPTERS 20-59 IN VOLUME 5A)

SUBTITLE 1. GENERAL PROVISIONS

CHAPTER.

1. GENERAL PROVISIONS.
2. CORPORATE CHARTERS.
3. ARKANSAS EDUCATIONAL TELEVISION COMMISSION.
4. INTERSTATE COMPACTS.
5. MISCELLANEOUS PROVISIONS RELATING TO ELEMENTARY, SECOND-
ARY, AND HIGHER EDUCATION.
- 6-9. [RESERVED.]

SUBTITLE 2. ELEMENTARY AND SECONDARY EDUCATION GENERALLY

CHAPTER.

10. GENERAL PROVISIONS.
11. EDUCATION.
12. COUNTY BOARDS OF EDUCATION. [REPEALED.]
13. SCHOOL DISTRICTS.
14. SCHOOL ELECTIONS.
15. EDUCATIONAL STANDARDS AND QUALITY GENERALLY.
16. CURRICULUM.
17. PERSONNEL.
18. STUDENTS.
19. TRANSPORTATION.
20. FINANCES.
21. SCHOOL PROPERTY AND SUPPLIES.
22. ARKANSAS REGISTERED VOLUNTEERS PROGRAM ACT.
23. ARKANSAS QUALITY CHARTER SCHOOLS ACT OF 2013.
24. ETHICAL GUIDELINES AND PROHIBITIONS.
25. PUBLIC SCHOOL LIBRARY MEDIA AND TECHNOLOGY ACT.
26. ARKANSAS TEACHER HOUSING DEVELOPMENT ACT. [REPEALED.]
27. EDUCATIONAL ACCESS FOR MILITARY CHILDREN. [REPEALED.]
28. ARKANSAS MILITARY CHILD SCHOOL TRANSITIONS ACT OF 2021.
- 29-39. [RESERVED.]

SUBTITLE 3. SPECIAL EDUCATIONAL PROGRAMS

CHAPTER.

40. GENERAL PROVISIONS. [RESERVED.]
41. CHILDREN WITH DISABILITIES.
42. GIFTED AND TALENTED CHILDREN.
43. ARKANSAS SCHOOL FOR THE BLIND AND ARKANSAS SCHOOL FOR THE
DEAF.
44. ADULT LITERACY.
45. ARKANSAS BETTER CHANCE PROGRAM ACT.
46. ARKANSAS HIGH TECHNOLOGY TRAINING CENTER. [REPEALED.]
47. DISTANCE LEARNING.

CHAPTER.

- 48. ALTERNATIVE LEARNING ENVIRONMENTS.
- 49. [RESERVED.]

SUBTITLE 4. VOCATIONAL AND TECHNICAL EDUCATION

CHAPTER.

- 50. GENERAL PROVISIONS.
- 51. VOCATIONAL AND TECHNICAL SCHOOLS.
- 52. VOCATIONAL AND TECHNICAL TRAINING.
- 53. TWO-YEAR POSTSECONDARY EDUCATION REORGANIZATION ACT OF 1991.
- 54. ARKANSAS STATE UNIVERSITY THREE RIVERS.
- 55. THE ARKANSAS CONSTRUCTION INDUSTRY CRAFT TRAINING ACT.
- 56. ARKANSAS STATE UNIVERSITY-BEEBE.
- 57. ARKANSAS VALLEY TECHNICAL INSTITUTE.
- 58. NATIONAL PARK COLLEGE.
- 59. ARKANSAS NORTHEASTERN COLLEGE.

SUBTITLE 5. POSTSECONDARY AND HIGHER EDUCATION GENERALLY

CHAPTER.

- 60. GENERAL PROVISIONS.
- 61. POSTSECONDARY INSTITUTIONS GENERALLY.
- 62. PROPERTY AND FINANCES OF STATE INSTITUTIONS.
- 63. EMPLOYEES OF STATE INSTITUTIONS.
- 64. UNIVERSITY OF ARKANSAS.
- 65. AGRICULTURAL COLLEGES.
- 66. HENDERSON STATE UNIVERSITY.
- 67. UNIVERSITY OF CENTRAL ARKANSAS.
- 68. ELECTRONIC INSTRUCTIONAL MATERIAL.
- 69, 70. [RESERVED.]
- 71. IMPROVEMENT DISTRICTS FOR COLLEGES AND UNIVERSITIES.
- 72-79. [RESERVED.]

SUBTITLE 6. POSTSECONDARY EDUCATION — FINANCIAL ASSISTANCE PROGRAMS

CHAPTER.

- 80. GENERAL PROVISIONS.
- 81. STUDENT LOANS.
- 82. SCHOLARSHIPS.
- 83. TAX-DEFERRED TUITION SAVINGS PROGRAM. [REPEALED.]
- 84. ARKANSAS BRIGHTER FUTURE FUND PLAN.
- 85. LOTTERY-FUNDED SCHOLARSHIP PROGRAMS.

***SUBTITLE 5. POSTSECONDARY AND HIGHER
EDUCATION GENERALLY*****CHAPTER 60****GENERAL PROVISIONS**

SUBCHAPTER.

- 1. GENERAL PROVISIONS.
- 2. ENROLLMENT AND TUITION.

SUBCHAPTER.

3. TUITION IN NEIGHBORING STATES.
4. EXTENSION COURSES.
5. IMMUNIZATION.
6. TEXTBOOKS AND COURSE MATERIALS.
7. COMPREHENSIVE ARKANSAS HIGHER EDUCATION ANNUAL REPORT ACT.
8. THE CLEAN AIR ON CAMPUS ACT OF 2009.
9. ARKANSAS HIGHER EDUCATION INFORMATION SYSTEM.
10. FORMING OPEN AND ROBUST UNIVERSITY MINDS (FORUM) ACT.
11. STUDENT JOURNALISTS.
12. TRANSPARENCY IN FOREIGN INVESTMENT ACT.
13. INFORMATION REGARDING THE COST OF COLLEGE AND JOB OPPORTUNITIES.

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

- 6-60-101. Acceptance of land grants.
- 6-60-102. Consolidations and mergers.
- 6-60-103. [Repealed.]
- 6-60-104. Social media accounts of current and prospective students or employees — Definitions.
- 6-60-105. Employment and earnings outcomes — Report.
- 6-60-106. Unplanned pregnancies action plan.
- 6-60-107. Workforce initiative funding.
- 6-60-108. Audit records — Definition.
- 6-60-109. Right to counsel.
- 6-60-110. Flags.
- 6-60-111. Sexual assault action plan.

SECTION.

- 6-60-112. Information on mental health and suicide prevention services — Definition.
- 6-60-113. Enhancement of accountability and transparency at state-supported institutions of higher education.
- 6-60-114. President and chancellor contracts — Definitions.
- 6-60-115. Homeless and foster student liaison — Definition.
- 6-60-116. Star-Spangled Banner Act.
- 6-60-117. Personal finance and macroeconomics action plan.
- 6-60-118. Student identification badges — Required information.

Preambles. Acts 1867, No. 28, contained a preamble which read: "Whereas, By an act of congress, entitled 'an act to amend the 5th section of an act entitled an act donating public lands to the several states and territories, which may provide colleges for the benefit of agriculture and the mechanic arts,' approved July 2nd, 1862, so as to extend the time within which the provisions of said act shall be accepted, and such colleges established, approved 23rd July 1866, it is enacted, among other things, 'that the time in which the several states may comply with the provisions of the act of July two, eighteen hundred and sixty-two, entitled an act donating public lands to the several states and territories, which may provide colleges for the benefit of agriculture and the mechanic arts,' is thereby extended, so that the acceptance of the benefits of said act may be expressed within three years from the passage of said amendatory act,

and that the colleges required by the said act may be provided within five years from the date of the filing such acceptance with the commissioner of the general land office; and, whereas, the state of Arkansas has not, heretofore, passed any valid act of acceptance of the grant aforesaid by her legislature, in accordance with the requirements of said act of congress; and, whereas, said state is not in a condition of rebellion or insurrection against the government of the United States, now, therefore, to enable the state of Arkansas to receive the benefits of said grant by congress, and to express and signify her acceptance of the same in conformity to its provisions"

Effective Dates. Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act estab-

lishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should be-

come effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-60-101. Acceptance of land grants.

(a) The State of Arkansas signifies and declares her assent to the grant of land and land scrip as authorized and contained in the Act of Congress entitled, "An act donating public lands to the several states and territories, which may provide colleges for the benefit of agriculture and the mechanic arts", approved July 2, 1862, and altogether on the terms and conditions provided in the act, and also to the Act of Congress entitled, "An act to amend the fifth section of an act entitled, 'An act donating public lands to the several states and territories, which may provide colleges for the benefit of agriculture and the mechanic arts', approved July 2, 1862, so as to extend the time, within which the provisions of said act shall be accepted, and such colleges established", approved July 23, 1866.

(b) The State of Arkansas shall observe and perform the conditions contained and provided in the enactment, that is to say:

(1) The State of Arkansas will replace any portion of the fund provided by section four (4) of the act, or any portion of the interest thereon, which shall by any action or contingency be diminished or lost, so that the capital fund shall remain forever undiminished, and will apply the annual interest thereon regularly, without diminution, to the purposes mentioned in the fourth section 7 U.S.C. § 304, subject only to the exception contained in section five (5) of the Act of Congress approved July 23, 1866;

(2) The State of Arkansas, further assenting, agrees that no portion of the fund, nor the interest thereon, shall be applied directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any buildings;

(3) The State of Arkansas further agrees to provide at least one (1) college, as described in section four (4) of the Act of Congress approved July 2, 1862, and in accordance with the act amendatory of that act; and also to pay the United States the amount received of any lands previously sold to which the title of purchasers was valid; and

(4) The State of Arkansas further agrees that an annual report shall be made regarding the progress of each college in accordance with paragraph four (4) of section five (5) of the Act of Congress.

History. Acts 1867, No. 28, §§ 1, 2, p. § 13123; A.S.A. 1947, §§ 80-2849, 80-84; C. & M. Dig., § 9504; Pope's Dig., 2850.

U.S. Code. Act of Congress of July 2, 1862, referred to in this section, is codified as 7 U.S.C. §§ 301-308. Act of Congress of July 23, 1866, referred to in this section, is codified as 7 U.S.C. § 305.

CASE NOTES

Cited: *Arkansas v. Texas*, 346 U.S. 368, 74 S. Ct. 109, 98 L. Ed. 80 (1953).

6-60-102. Consolidations and mergers.

(a) The purpose of this section is to create incentives for more efficient management of the public higher education resources of the State of Arkansas by allowing public higher education institutions and their boards of trustees to merge or consolidate on a voluntary basis and to consolidate administrative functions by transferring them to another institution.

(b)(1) A fund account is hereby established called the Higher Education Consolidation Matching Fund.

(2) Moneys deposited into this account shall be made available to match documented savings at public institutions of higher education that consolidate or merge.

(3) The amount of matching funds to be made available from the fund shall be determined by the Arkansas Higher Education Coordinating Board.

(4) Upon review and approval of the Chief Fiscal Officer of the State, the funds shall be transferred to the newly constituted or merged institution from the fund.

(c) The institutional consolidations and mergers eligible for matching funds under the terms of this section include:

(1) Two (2) or more public universities;

(2) Two (2) or more public two-year colleges;

(3) Community colleges and technical institutes located in the same city or the same county;

(4) New systems of public higher education institutions composed of two-year and four-year institutions under the control of a single board of trustees;

(5) Existing systems of public higher education institutions that add two-year and/or four-year institutions to the system; and

(6) Administrative function consolidation with similar services or operations at another institution.

(d)(1) Consolidations or mergers involving community colleges shall be subject to the provisions of § 6-61-519, where applicable, when the result of a consolidation or a merger requires dissolution of the community college district.

(2) Any agreements made by community colleges with other public colleges or universities to consolidate or merge are declared to be consistent with the provisions of § 6-61-524, which permits the sharing of facilities, personnel, and services by community colleges.

(e) The Arkansas Higher Education Coordinating Board, in consultation with the public colleges and universities, is authorized to develop policies and rules to implement the provisions of this section.

History. Acts 1995, No. 287, §§ 1-5; 1995, No. 388, §§ 1-5; 2019, No. 315, § 360.

The 2019 amendment substituted “policies and rules” for “policies, rules, and regulations” in (e).

6-60-103. [Repealed.]

Publisher’s Notes. This section, concerning the Arkansas safe campus task force, was repealed by Acts 2013, No.

1155, § 19. The section was derived from Acts 2009, No. 1400, § 2.

6-60-104. Social media accounts of current and prospective students or employees — Definitions.

(a) As used in this section:

(1) “Employee” means an individual who provides services or labor for wages or other remuneration for an institution of higher education;

(2) “Institution of higher education” means a public or private institution that provides postsecondary education or training to students that is academic, technical, trade-oriented, or in preparation for gaining employment in a recognized occupation;

(3)(A) “Social media account” means a personal account with an electronic medium or service where users may create, share, or view user-generated content, including without limitation:

- (i) Videos;
- (ii) Photographs;
- (iii) Blogs;
- (iv) Podcasts;
- (v) Messages;
- (vi) Emails; and
- (vii) Website profiles or locations.

(B) “Social media account” does not include an account:

(i) Opened by an employee or student at the request of an institution of higher education;

(ii) Provided to an employee or student by an institution of higher education, such as an institutional email account or other software program owned or operated exclusively by an institution of higher education;

(iii) Set up by an employee or student on behalf of an institution of higher education; or

(iv) Set up by an employee or student to impersonate an institution of higher education through the use of the institution’s name, logos, or trademarks.

(C) “Social media account” includes without limitation an account established with Facebook, Twitter, LinkedIn, Myspace, or Instagram; and

(4) “Student” means a person enrolled part-time or full-time at an institution of higher education in an organized course of study.

(b) An institution of higher education shall not require, request, suggest, or cause:

(1) A current or prospective employee or student to disclose his or her username and password to the current or prospective employee’s or student’s social media account; or

(2) A current or prospective student, as a condition of acceptance in curricular or extracurricular activities, to:

(A) Add an employee or volunteer of the institution of higher education, including without limitation a coach, professor, or administrator, to the list of contacts associated with his or her social media account; or

(B) Change the privacy settings associated with his or her social media account.

(c) An institution of higher education shall not:

(1) Take action against or threaten to discharge, discipline, prohibit from participating in curricular or extracurricular activities, or otherwise penalize a current student for exercising his or her rights under subsection (b) of this section; or

(2) Fail or refuse to admit or hire a prospective employee or student for exercising his or her rights under subsection (b) of this section.

(d) This section does not prohibit an institution of higher education from viewing information about a current or prospective employee or student that is publicly available on the internet.

(e) Nothing in this section prevents an institution of higher education from complying with the requirements of federal laws or regulations, or state laws or rules.

History. Acts 2013, No. 998, § 1; 2019, No. 315, § 361.

substituted “federal laws or regulations, or state laws or rules” for “federal or state laws, rules, or regulations” in (e).

Amendments. The 2019 amendment

RESEARCH REFERENCES

Ark. L. Rev. Bethany N. Whitfield, Comment: Social Media @ Work: #policyneeded, 66 Ark. L. Rev. 843 (2013).

6-60-105. Employment and earnings outcomes — Report.

(a)(1) Annually, the Division of Workforce Services shall prepare or contract with an entity to prepare an economic security report of employment and earning outcomes for degrees, diplomas, and certificates earned at state-supported institutions of higher education and state-supported technical institutes.

(2) The report required under subdivision (a)(1) of this section shall:

(A) Be made available online;

(B) Be easily accessible and readable by the public;

(C) Be broken down by educational sector;

(D) Use data available to the Division of Higher Education relating to the employment and earnings of graduates of degree, diploma, and certificate programs from a state-supported institution of higher education or a state-supported technical institute;

(E) Use an integrated postsecondary education data system for calculating the average student loan debt of a graduate of a degree, diploma, or certificate program from a state-supported institution of higher education or a state-supported technical institute;

(F) Include data on the employment of graduates of a degree, diploma, or certificate program from a state-supported institution of higher education or a state-supported technical institute beginning the year after the degree, diploma, or certificate is earned, including graduates employed full-time, by:

(i) Number; and

(ii) Percentage; and

(G) Include on an annual basis data on the earnings of graduates of a degree, diploma, or certificate program at a state-supported institution of higher education or a state-supported technical institute beginning the year after the degree, diploma, or certificate is earned.

(b)(1) Annually, a four-year state-supported institution of higher education and a two-year state-supported institution of higher education shall provide an enrolled student with electronic access to the economic security report of employment and earnings outcomes prepared by the Division of Workforce Services before the student registers for classes.

(2) Annually, beginning July 1, 2020, a state-supported technical institute shall provide an enrolled student with electronic access to the economic security report of employment and earnings outcomes prepared by the Division of Workforce Services before the student registers for classes.

(c) Each four-year state-supported institution of higher education, each state-supported technical institute, and each two-year state-supported institution of higher education shall provide each student electronic access to the following information annually before the student registers for classes:

(1) The top twenty-five percent (25%) of certificates and degrees reported by the four-year state-supported institution of higher education in terms of the highest full-time job placement and highest average annual earnings in the year after certificate or degree completion; and

(2) The bottom ten percent (10%) of certificates and degrees reported by the four-year state-supported institution of higher education in terms of the lowest full-time job placement and lowest average annual earnings in the year after certificate or degree completion.

(d) Annually, a public school student in grade seven through grade twelve (7-12) or the student's parent or guardian shall receive a two-page summary of and electronic access to the economic security report of employment and earnings outcomes prepared by the Division of Workforce Services under this section.

History. Acts 2015, No. 852, § 1; 2019, No. 235, § 1; 2019, No. 910, §§ 160-163.

Amendments. The 2019 amendment by No. 235, in (a)(1), deleted “beginning June 30, 2016” following “Annually”, inserted “diplomas”, and added “and state-supported technical institutes”; redesignated (a)(3) as part of (a)(2) and rewrote (a)(2); added the (b)(1) designation and deleted “beginning July 1, 2016” following “Annually” in (b)(1); added (b)(2); inserted “each state-supported technical institute” in the introductory language of (c); and, in (d), deleted “beginning August 1, 2016” following “Annually”, deleted “Depart-

ment of Workforce Service’s” following “access to the”, and inserted “by the Division of Workforce Services”.

The 2019 amendment by No. 910, in (a)(1), deleted “beginning June 30, 2016” following “Annually”, and substituted “Division of Workforce Services” for “Department of Workforce Services”; substituted “Division of Higher Education” for “Department of Higher Education” in (a)(2)(D); and substituted “Division of Workforce Services” for “Department of Workforce Services” and similar language in (b) and (d).

6-60-106. Unplanned pregnancies action plan.

(a) On and after November 3, 2015, the Arkansas Higher Education Coordinating Board, in collaboration with all public university and community college presidents and chancellors or their designees, shall develop an action plan to address the prevention of unplanned pregnancies among older teens who are unmarried.

(b) The action plan shall:

(1) Incorporate unplanned pregnancy prevention information for students through advising and student orientation;

(2) Integrate information that is recognized as medically accurate by the American College of Obstetricians and Gynecologists about the prevention of unplanned pregnancy into academic courses if and when appropriate, including without limitation abstinence education;

(3) Identify opportunities to raise awareness of and provide resources for the prevention of unplanned pregnancies across the entire student population;

(4) Identify opportunities for current students to reach out to younger teens to serve as mentors or role models, or both, of successful behaviors and healthy choices, including opportunities for outreach during summer vacation or during traditional after-school hours for grades kindergarten through twelve (K-12);

(5) Identify private or federal grants available to address the prevention of unplanned pregnancy and to promote student success, including any partnerships necessary to successfully compete for grants;

(6) Collaborate with the Department of Health or federally qualified health centers, or both, to promote access to care;

(7) Identify child care, transportation, financial aid, and other challenges specific to existing single parents; and

(8) Identify other topics or issues relating to the prevention and reduction of unplanned pregnancies among older teens.

(c)(1) The board shall present the action plan to the Legislative Council upon its completion but no later than November 3, 2015.

(2) The board shall report on the status of the action plan annually to:

- (A) The Chair of the Senate Committee on Public Health, Welfare, and Labor;
 - (B) The Chair of the House Committee on Public Health, Welfare, and Labor;
 - (C) The Chair of the Senate Committee on Education; and
 - (D) The Chair of the House Committee on Education.
- (d) This section shall take effect on July 1, 2015.

History. Acts 2015, No. 943, § 2.

A.C.R.C. Notes. Acts 2015, No. 943, § 1, provided: "Legislative findings.

"The General Assembly finds that:

"(1) Four thousand eighty-nine (4,089) births to teenage mothers were recorded in Arkansas in 2013;

"(2) Of those births, three thousand thirty (3,030) were among young women

between eighteen (18) and nineteen (19) years of age; and

"(3) Community colleges and universities in Arkansas provide a critical venue to address the prevention of unplanned pregnancies among a significant number of older teens."

6-60-107. Workforce initiative funding.

(a)(1) The Division of Higher Education shall act as the disbursing entity for all funds for the Workforce Initiative Act of 2015.

(2) The Division of Higher Education shall establish procedures for the request for proposals under subdivision (b)(2) of this section that shall:

(A) Be approved by the Governor;

(B) Include input from the Division of Elementary and Secondary Education, the Division of Workforce Services, the Arkansas Economic Development Commission, and the Division of Career and Technical Education; and

(C) Be reported to the Legislative Council.

(3) The Division of Higher Education shall establish a grant application review and award process under this section that shall:

(A) Be approved by the Governor; and

(B) Include recommendations from the Division of Elementary and Secondary Education, the Division of Workforce Services, the Arkansas Economic Development Commission, and the Division of Career and Technical Education.

(b)(1) The Division of Higher Education shall set funding priorities in three (3) phases.

(2)(A)(i) Phase one shall seek requests for proposals from alliances consisting of technical institutes, community colleges, universities, the kindergarten through grade twelve (K-12) education system, educational cooperatives, or employers, with input from local workforce investment boards, to receive planning grants of up to one hundred thousand dollars (\$100,000).

(ii)(a) The local workforce investment boards shall identify the industry sectors for each of their ten (10) areas.

(b) The identification process shall include a comprehensive data analysis of employer skill requirements in each sector in each region.

(c) The identified industry sectors and employment skills shall serve as the basis for an application to a request for proposal from the Division of Higher Education.

(B) A request for proposal shall include an education and employer alignment plan that includes state-approved, employer-driven career pathways that are supported by a secondary center that awards concurrent credit courses that can be applied to a certificate of proficiency, technical certificate, Associate of Applied Science degree, or Bachelor of Applied Science degree or a similarly designed bachelor's degree.

(C) Recognizing the limited state resources, the priority for planning grants shall be given to the applicants that best enhance regional efforts, including collaboration between community colleges, universities, public schools, education service cooperatives, the local workforce investment boards, career and technical education programs, multidistrict vocational centers, and private partnerships with clearly defined and measurable performance and effectiveness objectives.

(3)(A) Phase two shall provide implementation grants in an amount necessary to provide the resources to implement approved projects concluded and approved by the Division of Higher Education from phase one.

(B) Implementation grants shall include clearly defined outcome measures and last for up to two (2) years.

(4)(A) Phase three shall provide continuation grants for phase two recipients that meet or exceed the outcome measures.

(B) Continuation grants shall be used to align the performance and relevance of programs to ever changing workforce training needs.

History. Acts 2015, No. 1131, § 2; 2019, No. 910, § 164.

A.C.R.C. Notes. Acts 2015, No. 1131, § 1, provided: "Legislative intent — Findings.

"(a) The General Assembly finds that it is necessary for Arkansas to properly evaluate and address the workforce training needs of our state in order to compete with an aggressive and effective economic development strategy for the twenty-first century.

"(b) Consideration of secondary and postsecondary education, including career and technical programs, is essential for creating a successful economic climate in the state.

"(c) Encouraging Arkansans to pursue high-demand jobs, including without limitation industry-recognized credentials, career and technical certificates, associate degree programs, and bachelor's degree

programs is essential to building a skilled and work-ready workforce.

"(d) A program that offers short-term career and technical training and those programs that produce certificates of proficiency, technical certificates, Associate of Applied Science degrees, and Bachelor of Applied Science degrees or similarly designed bachelor degrees are critical to the success of economic development in Arkansas.

"(e)(1) Institutions and organizations will unite around shared regional sector strategies that support an employer demand-driven workforce system.

"(2) This system should support:

"(A) Creation of state and regional industry-sector driven partnerships that employers lead and to which education institutions respond;

"(B) Data-driven decisions on development and deployment of workforce training and education programs;

“(C) Development of articulated education pathways, from grades K-12 to baccalaureate, that are aligned with employment career pathways that include industry-recognized credential and employment step-out points; and

“(D) Increased diversity and representation from all regions of the state.”

Amendments. The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Education”, “Division of Elementary and Secondary Education” for “Department of

Education”, “Division of Workforce Services” for “Department of Workforce Services”, and “Division of Career and Technical Education” for “Department of Career Education” throughout the section.

Meaning of “Workforce Initiative Act of 2015”. The phrase “Workforce Initiative Act of 2015” in subdivision (a)(1) of this section refers to Acts 2015, No. 1131, which created this section and § 19-5-1257.

6-60-108. Audit records — Definition.

(a)(1) After an audit report is presented to the governing board of the institution of higher education, the audit report and copies of any documents contained in the working papers related to the audit report are open to public inspection under the Freedom of Information Act of 1967, § 25-19-101 et seq., except:

(A) Documents specifically exempt from disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq.; and

(B) Documents that disclose auditing procedures and techniques, including the following:

(i) Internal control questionnaires consisting of the checklist of accounting and administrative procedures employed by auditors in the course of performing an audit; and

(ii) The instructions and guidelines provided by or to the auditors about the examination procedures to be followed in the course of examining records and accounts to verify their accuracy, including verifications that the examination procedures have been followed.

(2) The documents described in subdivision (a)(1)(B) of this section are exempt from the Freedom of Information Act of 1967, § 25-19-101 et seq.

(b)(1) Until an audit report has been presented to the governing board of the institution of higher education, all working papers, including without limitation communications, notes, memoranda, preliminary drafts of audit reports, and other data gathered in the preparation of audit reports by auditors employed by or on behalf of a governing board of an institution of higher education, are exempt from the Freedom of Information Act of 1967, § 25-19-101 et seq.

(2) The exemption provided under this section applies to all working papers in the custody or possession of any person before presentation of the audit report to the governing board of the institution of higher education regardless of the actual physical location of the report.

(c) As used in this section, “audit” means a financial audit, performance audit, technology audit, review, report of agreed-upon procedures, compilation, examination, investigation, or other report or procedure approved by the governing board of an institution of higher education.

History. Acts 2015, No. 1137, § 1.

6-60-109. Right to counsel.

(a) As used in this section, “disciplinary appeal proceeding” includes an appeal hearing or other appeal procedure conducted by the institution of higher education relating to the alleged violation by the student that has resulted in disciplinary action against the student.

(b)(1)(A) A student enrolled at a state-supported institution of higher education who has received a suspension of ten (10) or more days or expulsion may request a disciplinary appeal proceeding and choose to be represented at the student’s expense by a licensed attorney or, if the student prefers, a nonattorney advocate who, in either case, may fully participate during the disciplinary appeal proceeding used by the state-supported institution of higher education except as provided under subdivision (b)(2) of this section.

(B) If the disciplinary appeal proceeding used by the state-supported institution of higher education arises from a complaint by a student against another student, the student who filed the complaint also has the right to be represented as allowed under subdivision (b)(1)(A) of this section.

(2) A student shall not have the right to be represented under this section by a licensed attorney or nonattorney advocate in a disciplinary appeal proceeding used by the state-supported institution of higher education, if any, regarding any allegation of academic dishonesty as defined by the state-supported institution of higher education.

(c) This section does not create the right of a student to be represented at public expense.

History. Acts 2015, No. 1194, § 1.

6-60-110. Flags.

A state-supported institution of higher education shall fly the flag of the United States of America and the flag of the State of Arkansas on campus on all national and state holidays and at other times determined by the state-supported institution of higher education.

History. Acts 2015, No. 1257, § 1.

6-60-111. Sexual assault action plan.

(a) On and after November 3, 2017, the Arkansas Higher Education Coordinating Board, in collaboration with all public university and community college presidents and chancellors or their designees, shall develop an action plan to address the prevention of sexual assault.

(b) The action plan shall:

(1) Incorporate sexual assault prevention information for students through advising and student orientation;

(2) Integrate information about the prevention of sexual assault into academic courses if and when appropriate;

(3) Identify opportunities to raise awareness of and provide resources for the prevention of sexual assault across the entire student population;

(4) Identify private or federal grants available to address the prevention of sexual assault and to promote student success, including any partnerships necessary to successfully compete for grants;

(5) Collaborate with the Department of Health or federally qualified health centers, or both, to promote access to care; and

(6) Identify other topics or issues relating to the prevention and reduction of sexual assault.

(c) If an institution of higher education has already implemented any portion of the action plan as described in subsection (b) of this section, the institution of higher education may submit a report to the board detailing the portion that the institution of higher education has fulfilled.

(d)(1) The board shall present the action plan to the Legislative Council upon its completion but no later than November 3, 2017.

(2) The board shall report on the status of the action plan annually to:

(A) The Chair of the Senate Committee on Public Health, Welfare, and Labor;

(B) The Chair of the House Committee on Public Health, Welfare, and Labor;

(C) The Chair of the Senate Committee on Education; and

(D) The Chair of the House Committee on Education.

(e) This section shall take effect on July 1, 2017.

History. Acts 2017, No. 563, § 2.

A.C.R.C. Notes. Acts 2017, No. 563, § 1, provided: "Legislative findings. The General Assembly finds that:

"(1) One (1) out of every six (6) American women and one (1) out of every thirty-three (33) American men have been the victim of an attempted or completed rape;

"(2) Arkansas is ranked forty-seventh among the states in the number of reported forcible rapes at a rate of forty-two and three-tenths (42.3) reported forcible rapes per one hundred thousand (100,000) people, a significantly higher rate of reported forcible rapes than the national average;

"(3) Sexual assault is one (1) of the most underreported crimes with only thirty-five to forty percent (35-40%) of sexual assaults reported to police;

"(4) Individuals between the ages of twelve (12) and thirty-four (34) are at the highest risk for sexual assault;

"(5) Women and girls between the ages of sixteen (16) and nineteen (19) are four (4) times more likely than the general population to be victims of sexual assault;

"(6) Victims of sexual assault are:

"(A) Three (3) times more likely to suffer from depression;

"(B) Six (6) times more likely to suffer from post traumatic stress disorder;

"(C) Thirteen (13) times more likely to abuse alcohol;

"(D) Twenty-six (26) times more likely to abuse drugs; and

"(E) Four (4) times more likely to contemplate suicide; and

"(7) Community colleges and universities in Arkansas provide a critical venue to address the prevention of sexual assault."

6-60-112. Information on mental health and suicide prevention services — Definition.

(a) As used in this section, “institution of higher education” means an institution of higher education that is a:

- (1) State-supported two-year or four-year college or university; or
- (2) Private, nonprofit two-year or four-year college or university with its primary headquarters located in Arkansas that is eligible to receive Title IV federal student aid funds.

(b) An institution of higher education shall provide to each entering full-time undergraduate, graduate, or professional student, including transfer students to the institution of higher education, information about:

- (1) Available mental health and suicide prevention services offered by the institution of higher education or by any associated organization or program; and

- (2) Early warning signs that are often present in and appropriate intervention for a person who may be considering suicide.

(c) The information required under subsection (b) of this section may:

- (1) Be provided through:

- (A) A live presentation; or

- (B) A format that allows for student interaction, including an online program or video; and

- (2) Not be provided in a paper format only.

History. Acts 2017, No. 1007, § 1.

6-60-113. Enhancement of accountability and transparency at state-supported institutions of higher education.

(a) The Division of Higher Education shall maintain a link to the website of each state-supported institution of higher education on the division’s website.

(b) To further enhance accountability and transparency at each state-supported institution of higher education, the following information shall be maintained on the website of each state-supported institution of higher education:

- (1) The name and email address of each member of the governing board of the state-supported institution of higher education;

- (2) The date and location of each meeting of the governing board;

- (3) The agenda and minutes of each meeting of the governing board;

- (4) The annual audit report presented to the Legislative Joint Auditing Committee; and

- (5) The conflict of interest and commitment policy of the governing board.

History. Acts 2021, No. 69, § 1.

6-60-114. President and chancellor contracts — Definitions.

(a) As used in this section:

(1) “Chancellor” means a chief executive officer of a state-supported institution of higher education; and

(2) “President” means an individual who is appointed or elected as the president of a state-supported institution of higher education.

(b) A contract for employment or an amendment to a contract for employment entered into on or after July 28, 2021, by a president or a chancellor of a state-supported institution of higher education shall:

(1) Include without limitation standards for which a president or chancellor may be terminated for cause; and

(2) Specify that a contract buyout agreement shall not use more than twelve (12) months’ worth of state funds to compensate an outgoing president or chancellor of a state-supported institution of higher education.

(c)(1) This section does not prohibit a state-supported institution of higher education from authorizing an outgoing president or chancellor to obtain employment as either a tenured faculty member or other agreed-upon employment position other than the position of president or chancellor within the state-supported institution of higher education.

(2) A state-supported institution of higher education is not in violation of this section if it compensates an outgoing president or chancellor with state funds while the outgoing president or chancellor serves in either a tenured faculty position or other agreed-upon employment position within the state-supported institution of higher education.

History. Acts 2021, No. 352, § 1.

6-60-115. Homeless and foster student liaison — Definition.

(a) As used in this section, “institution of higher education” means a college or university that is a:

(1) State-supported two-year or four-year college or university; or

(2) Private, nonprofit two-year or four-year college or university that is eligible to receive Title IV federal student aid funds with its primary headquarters located in Arkansas.

(b) An institution of higher education may designate a current member of the staff of the institution of higher education to serve as the liaison for students who are homeless, in foster care, or who left foster care at eighteen (18) years of age or older if the institution of higher education determines that there is a need for a liaison for students who are homeless, in foster care, or who left foster care at eighteen (18) years of age or older.

(c) A liaison for students who are homeless, in foster care, or who left foster care at eighteen (18) years of age or older under subsection (b) of this section shall:

(1) Inform prospective and current students of the institution of higher education who are homeless, in foster care, or who left foster care at eighteen (18) years of age or older about:

(A) Financial aid; and

(B) Other means of financial assistance available to the students of the institution of higher education who are homeless, in foster care, or who left foster care at eighteen (18) years of age or older; and

(2) Assist students of the institution of higher education who are homeless, in foster care, or who left foster care at eighteen (18) years of age or older in applying for and receiving:

(A) Federal and state financial aid; and

(B) Other available services designed to assist students who are homeless, in foster care, or who left foster care at eighteen (18) years of age or older with navigating and successfully managing coursework and student life.

History. Acts 2021, No. 355, § 1.

6-60-116. Star-Spangled Banner Act.

(a) This section shall be known and may be cited as the “Star-Spangled Banner Act”.

(b) The General Assembly finds that:

(1) It is of the utmost importance that Arkansas youth learn the importance of the national anthem, “The Star-Spangled Banner”;

(2) The regular playing of “The Star-Spangled Banner” will foster patriotism and celebrate the common American experience; and

(3) “The Star-Spangled Banner” should be played in solemn observance and recognition for the men and women who have sacrificed their lives in defense of the American Experiment.

(c) Each state-supported institution of higher education shall:

(1)(A) Adopt a policy requiring the broadcast of “The Star-Spangled Banner” at the commencement of each school-sanctioned sporting event.

(B) However, if any part of two (2) or more school-sanctioned sporting events occur on the same day at the same school, a state-supported institution of higher education may choose to broadcast “The Star-Spangled Banner” at only one (1) of the events; and

(2) Except as provided in subsection (d) of this section, select for broadcast from any recording of “The Star-Spangled Banner” that adheres to rules promulgated by the Division of Higher Education.

(d) A state-supported institution of higher education may adopt a policy that allows any of the following to be played at school-sanctioned sporting events:

(1) The performance of “The Star-Spangled Banner” from original sheet music that adheres to division rules and is performed by a school-sanctioned band program;

(2) The performance of “The Star-Spangled Banner” from original sheet music that adheres to division rules and is performed by a school-sanctioned choral program, vocal group, or vocalist; or

(3) The performance of “The Star-Spangled Banner” by the attendees of a school-sanctioned event led by a vocalist selected by the state-supported institution of higher education hosting the school-sanctioned event.

(e) The division shall promulgate rules to implement this section.

History. Acts 2021, No. 958, § 2.

A.C.R.C. Notes. Acts 2021, No. 958, § 4, provided: “Rules.

“(a) When adopting the initial rules required under this act, the Division Higher Education shall file the final rules with the Secretary of State for adoption under § 25-15-204(f):

“(1) On or before January 1, 2022; or

“(2) If approval under § 10-3-309 has not occurred by January 1, 2022, as soon

as practicable after approval under § 10-3-309.

“(b) The division shall file the proposed rules with the Legislative Council under § 10-3-309(c) sufficiently in advance of January 1, 2022, so that the Legislative Council may consider the rules for approval before January 1, 2022.”

6-60-117. Personal finance and macroeconomics action plan.

(a) By August 1, 2022, the Division of Higher Education, in collaboration with all public university and community college presidents and chancellors or their designees, shall develop an asynchronous module on the concepts of personal finance and macroeconomics.

(b) The module shall:

(1) Be taken by all students in accordance with the rules developed by the division;

(2) Incorporate personal finance and macroeconomics information for students through advising and student orientation;

(3) Integrate information about personal finance and macroeconomics into academic courses if and when appropriate;

(4) Identify opportunities to increase awareness and knowledge of and provide resources for personal finance and macroeconomics across the entire student population; and

(5) Identify other topics or issues relating to personal finance and macroeconomics.

(c) If an institution of higher education has already implemented any portion of this module as described in subsection (b) of this section, the institution of higher education may submit a report to the division detailing the portion of this module that the institution of higher education has fulfilled.

(d) The division shall:

(1) Present the module to the Legislative Council upon its completion but no later than August 1, 2022; and

(2) Report on the status of the module annually to:

(A) The Chair of the Senate Committee on Education; and

(B) The Chair of the House Committee on Education.

(e) The division may:

- (1) Promulgate rules to implement this section; and
- (2) Work with other organizations to develop the module required under this section.

History. Acts 2021, No. 1038, § 2.

A.C.R.C. Notes. Acts 2021, No. 1038, § 1, provided: "Legislative findings. The General Assembly finds that:

"(1) Students enrolled in institutions of higher education are often incurring high amounts of student loan debt in order to attend the institutions of higher education;

"(2) Understanding personal finance and macroeconomics concepts will assist

students in understanding the importance of successfully managing their student loans, saving money, avoiding debt, and building good credit; and

"(3) A better understanding of and appreciation for personal finance and macroeconomics will play a role in helping students learn positive financial habits, save for emergencies, and make fewer financial mistakes."

6-60-118. Student identification badges — Required information.

(a) Beginning with the 2021-2022 school year, if a state-supported two-year or four-year institution of higher education issues identification cards or identification badges to enrolled students, the identification card or identification badge shall, in addition to basic student information included by the state-supported two-year or four-year institution of higher education, contain only the following information:

- (1) A national domestic violence hotline;
- (2) A national sexual assault hotline;
- (3) A national suicide prevention hotline; and
- (4) Campus-related contact information.

(b) The information required under subsection (a) of this section shall be printed on an identification card or identification badge that is:

- (1) Newly issued; or
- (2) A replacement for a previously issued identification card or identification badge.

History. Acts 2021, No. 1069, § 2.

SUBCHAPTER 2 — ENROLLMENT AND TUITION

SECTION.

6-60-201. Regulation of admission and enrollment — Out-of-state students.

6-60-202. Enrollment of qualified high school students as part-time students — Definition.

6-60-203. Off-campus enrollments.

6-60-204. Waiver of general student fee charges for senior citizens.

6-60-205. In-state tuition for veterans and military personnel and dependents.

6-60-206. [Repealed.]

SECTION.

6-60-207. Purpose.

6-60-208. Requirements for academic clemency.

6-60-209. Enrollment data.

6-60-210. Minor child as legal resident — Definition.

6-60-211. Tuition waiver for Arkansas National Guard soldiers and airmen — Tuition assistance for soldiers.

6-60-212. Admissions — Applicants from medically underserved areas.

SECTION.

6-60-213. Reduced tuition for certain police officers — Definitions.

6-60-214. Tuition benefits for soldiers and airmen of the Arkansas National Guard.

SECTION.

6-60-215. Nontraditional documented immigration status.

Effective Dates. Acts 1975, No. 145, § 2: Feb. 12, 1975. Emergency clause provided: "It is hereby found and determined by the General Assembly that there has been much difficulty in classifying dependents of members of the Armed Forces as 'in-state' or 'out-of-state' students for the purpose of paying fees at state supported colleges and universities; that the immediate passage of this Act is necessary to clarify this problem and to accord equity and fairness to the students and at the same time protect the interests of the Arkansas higher educational institutions and that of Arkansas taxpayers. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1975, No. 678, § 3: Mar. 31, 1975. Emergency clause provided: "It is hereby found and determined by the General Assembly that in many State-supported institutions of higher learning in the State, enrollment is at a low level and that some classes at such institutions are unusually small; that it is in the best interest of the citizens of this State that the educational opportunities at such institutions be made available to older citizens who wish to improve their education without the payment of tuition and fees normally charged students; that many older citizens would take advantage of the opportunity for furthering their education if such opportunity was made available without the necessity for paying tuition, and that such program would also be beneficial to the State-supported institutions in the State; that this Act is designed to permit such persons to attend college without the payment of tuition and fees and should be given effect at the earliest possible date. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in

full force and effect from and after its passage and approval."

Acts 1975, No. 885, § 13: July 1, 1975. Emergency clause provided: "It is hereby found and determined by the Seventieth General Assembly that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1975 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1975 could work irreparable harm upon the proper administration and providing of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health, and safety shall be in full force and effect from and after July 1, 1975."

Acts 1991, No. 1000, § 6: Apr. 8, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly that a state-wide effort is being made to adequately train the workforce for the year 2000; that persons who did not consider postsecondary education important following their high school graduation, drop out of postsecondary education only to return at a later stage in their life when they have grown to appreciate such; that a 'fresh start' should be given such students to permit them to improve their academic records upon their return to postsecondary education. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1995, No. 1185, § 40: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly, that the Constitution

of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

Acts 2003, No. 1045, § 2: July 1, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that competition from adjoining states causes recruits for the Arkansas National Guard to leave the state for educational opportunities and funding; that the competition depletes the recruits for the military units located within the state; and that this act is immediately necessary to provide comparable educational opportunities in the

state for recruits for the Arkansas National Guard. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003."

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

RESEARCH REFERENCES

ALR. Absence from or inability to attend school or college as affecting liability for or right to recover payments for tuition or board. 20 A.L.R.4th 303.

Am. Jur. 15A Am. Jur. 2d, Colleges & U., § 18 et seq.

C.J.S. 14A C.J.S., Colleges & U., §§ 30-33.

6-60-201. Regulation of admission and enrollment — Out-of-state students.

(a) The board of trustees of each educational institution of higher education supported, in whole or in part, by the State of Arkansas, shall have the right to adopt rules for the admission and enrollment of students in the respective institutions of higher education under the control of such board, expressly including the right to refuse admission and enrollment to any person who comes to the State of Arkansas solely for the purpose of securing admission, enrollment, and educational advantages at the expense of the State of Arkansas.

(b) Each board may conduct hearings for the purpose of determining whether or not any applicant for admission and enrollment has come to the State of Arkansas for such wrongful purpose, and the findings of

any such board of trustees in the State of Arkansas, after the hearing, if based on any evidence, shall be conclusive.

History. Acts 1939, No. 88, § 1; A.S.A. 1947, § 80-3301; Acts 2019, No. 315, § 362.

Amendments. The 2019 amendment deleted “and regulations” following “rules” in (a).

6-60-202. Enrollment of qualified high school students as part-time students — Definition.

(a) It is declared to be the policy of this state that qualified students enrolled in a public or private high school in this state shall upon request be accepted for enrollment in a public institution of higher education as part-time students.

(b) For purposes of this section, “qualified student” shall mean a student who is recommended for enrollment in the institution by the principal of the high school in which the student is enrolled and who meets the minimum criteria for advanced placement.

History. Acts 1983 (1st Ex. Sess.), No. 57, § 1; A.S.A. 1947, § 80-3393.

6-60-203. Off-campus enrollments.

In order to provide needed off-campus services to Arkansas citizens who do not happen to reside in the location of the main campus of a college or university, the Division of Higher Education is instructed to count and otherwise treat off-campus class enrollments consistent with the enrollments for those same classes on the main campus of the institution.

History. Acts 1975, No. 885, § 10; 2019, No. 910, § 1938.

Amendments. The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Education”.

6-60-204. Waiver of general student fee charges for senior citizens.

(a) When any person sixty (60) years of age or older is admitted to and enrolls as a student in any state-supported institution of higher education in this state, the board of trustees of the institution or other appropriate institutional officials shall waive all the general student fee charges for each student on a space-available basis in existing classes.

(b) Fees will be waived only for courses organized to grant credit and recognized by the Division of Higher Education for credit.

History. Acts 1975, No. 678, § 1; 1977, No. 525, § 1; A.S.A. 1947, § 80-3367; Acts 2019, No. 910, § 1939.

Amendments. The 2019 amendment

substituted “Division of Higher Education” for “Department of Higher Education” in (b).

6-60-205. In-state tuition for veterans and military personnel and dependents.

Regardless of residence, a state-supported institution of higher education, trade school, or vocational school shall classify a student as in-state, in-county, in-district, local, or resident for the purpose of tuition and fees applicable for all programs of study, including distance learning programs, if the student is a:

- (1) Veteran who received an honorable discharge from a period of not less than ninety (90) days of active duty in the United States Armed Forces within three (3) years before the date of enrollment in a program of study;
- (2) Dependent of a veteran under subdivision (1) of this section;
- (3) Member of the United States Armed Forces;
- (4) Spouse of a member of the United States Armed Forces; or
- (5) Reserve Officers' Training Corps cadet who has an executed United States Armed Forces service contract.

History. Acts 1975, No. 145, § 1; A.S.A. 1947, § 80-3366; 2015, No. 1266, § 1; 2017, No. 947, § 1.

Amendments. The 2017 amendment, in (1), substituted "received an honorable discharge" for "was discharged or re-

leased" and substituted "United States Armed Forces" for "military, naval, or air service"; substituted "United States Armed Forces" for "armed forces" in (3) and (4); added (5); and made stylistic changes.

6-60-206. [Repealed.]

Publisher's Notes. This section, concerning free tuition to World War I veterans, was repealed by Acts 2017, No. 844,

§ 1. The section was derived from Acts 1923, No. 638, § 1; Pope's Dig., § 13173; A.S.A. 1947, § 80-3302.

6-60-207. Purpose.

(a)(1) The General Assembly hereby acknowledges that too often, persons enrolled in institutions of higher education do not appreciate the value of their postsecondary educational experience and, following a brief history of poor and failing grades, such persons decide to pursue other worldly pursuits outside the academic world. The General Assembly further finds that following a considerable passage of time, the appreciation for postsecondary educational opportunities increases in such persons to the point that they seek to return to the institution only to find that the grades they acquired during their earlier experience act as a barrier and hindrance to their academic progress.

(2) The purpose of this section is to provide a mechanism for institutions of higher education to disregard the records of such persons which prevent or impede their academic success.

(b) A student enrolled in an institution of higher education on April 8, 1991, shall be eligible for academic clemency.

History. Acts 1991, No. 1000, §§ 1, 2.

A.C.R.C. Notes. Acts 1991, No. 1000,

§ 2, provided, in part: "Beginning with the 1991-92 school year, the State Board

of Higher Education in cooperation with the institutions of higher education, shall develop guidelines which may be incorporated into the policies of the colleges and universities that provide for academic clemency for undergraduate students. Under this program of academic clemency, a student returning to a college or univer-

sity after a separation of a defined number of years may petition the appropriate dean to have previously earned grades and credits removed from the calculations of their cumulative grade point average. Grades and credits earned at any other college or university shall be disregarded under this program."

6-60-208. Requirements for academic clemency.

(a) A public school student who graduates from a public high school after May 1, 2002, must have successfully completed the core curriculum recommended by the Arkansas Higher Education Coordinating Board after consultation with the State Board of Education and under § 6-61-217 with a minimum cumulative grade point average of 2.0 on a 4.0 scale in order to be eligible for unconditional admission as an undergraduate to a state-supported four-year institution of higher education.

(b) Subject to subsection (c) of this section any public school student who graduates from a public high school after May 1, 2002, must have successfully completed the core curriculum recommended by the Arkansas Higher Education Coordinating Board after consultation with the State Board of Education and under § 6-61-217 in order to be eligible for unconditional admission to a state-supported two-year institution of higher education.

(c)(1)(A) The colleges and universities shall develop standards for collegiate admissions based on the mission of each institution and establish a conditional collegiate admissions process for each institution, subject to the recommendations of the Arkansas Higher Education Coordinating Board.

(B)(i) The colleges and universities shall establish standards for conditional admission for public school graduates who have not completed the core curriculum, subject to the recommendations of the Arkansas Higher Education Coordinating Board.

(ii) At a minimum, these conditional admissions standards shall require the following:

(a) For a public school graduate seeking an associate of arts degree or a baccalaureate degree who failed to successfully complete the core curriculum, completion of twelve (12) hours of core academic courses and any necessary remedial courses with a cumulative grade point average of 2.0 on a 4.0 scale; or

(b) For a public school graduate seeking a diploma, a technical certificate, or an associate of applied science degree who failed to successfully complete the core curriculum, completion of six (6) hours of core academic courses, six (6) hours of technical courses required for the diploma, technical certificate, or associate of applied science degree, and any necessary remedial courses with a cumulative grade point average of 2.0 on a 4.0 scale.

(2)(A) Conditional admissions standards shall reflect the mission of each institution and shall be implemented by the institutions as a condition for receiving state funds.

(B) If the Arkansas Higher Education Coordinating Board does not approve the conditional collegiate admissions standards and process for an institution, state funds shall not be used to subsidize or pay for any portion of the cost associated with the conditional students.

(3) The admissions criteria set forth in this section shall not apply to those individuals who graduate from a public high school prior to May 1, 2002.

(d)(1) Conditional admissions standards for nontraditional students shall be based on the student's score on the ACT composite or its equivalent as defined by the Division of Higher Education, which shall issue guidelines to assist two-year and four-year institutions of higher education in developing conditional admissions standards.

(2) As used in this subsection, "nontraditional students" shall include those who are home-schooled or who attended private or parochial secondary schools.

(e) Beginning with the 2012-2013 academic year, a student who scores below fifteen (15) on an ACT, or below a comparable score on a comparable exam, may be reassessed to determine the student's ability to benefit using one (1) of the federally approved ability-to-benefit assessments.

(f)(1) Beginning with the 2012-2013 academic year, a student who scores below the acceptable federally determined ability-to-benefit assessment score, but has a high school diploma or GED, may be enrolled by a two-year or four-year institution of higher education only in a specific program approved by the Arkansas Higher Education Coordinating Board in collaboration with the institutions of higher education until the student can demonstrate academic proficiency that would predict success in a degree program.

(2) The Arkansas Higher Education Coordinating Board shall provide approved assessment tools and acceptable scores through Arkansas Higher Education Coordinating Board policy.

(g) This section does not prevent an institution of higher education from setting higher admissions standards for enrolling freshmen.

History. Acts 1993, No. 969, § 1; 1995, No. 1296, § 33; 1997, No. 977, § 3; 1997, No. 1290, § 1; 1999, No. 520, § 1; 2011, No. 1184, § 1; 2019, No. 910, § 1940.

Amendments. The 2019 amendment inserted "(ACT)" and substituted "Division of Higher Education" for "Department of Higher Education" in (d)(1).

6-60-209. Enrollment data.

(a)(1) The Legislative Joint Auditing Committee shall provide for the verification of student enrollment data of each state-supported institution of higher education.

(2) Verification of such enrollment data shall be performed during the regularly scheduled annual audit of each institution and shall be included in the final audit report for each institution.

(3) Such reports shall be made available to the Arkansas Higher Education Coordinating Board and the Legislative Council.

(b) Criteria to be used by Arkansas Legislative Audit in making the verifications of enrollment data shall be established by the Legislative Joint Auditing Committee.

History. Acts 1995, No. 1185, § 33.

6-60-210. Minor child as legal resident — Definition.

(a) As used in this section, “minor child” means a child under twenty-one (21) years of age.

(b) Any minor child of a parent who is a legal resident of Arkansas shall be considered a legal resident of Arkansas for the following purposes:

(1) Admission and enrollment in a public institution of higher education; and

(2) Eligibility for a postsecondary scholarship offered by the State of Arkansas or by a public institution of higher education.

(c) In determining admission or scholarship eligibility, a public institution of higher education shall give the same consideration to an official high school transcript issued by an out-of-state school or school district on behalf of any minor child of a parent who is a legal resident of Arkansas as a high school transcript issued by a school or school district in Arkansas.

History. Acts 1997, No. 692, § 1.

6-60-211. Tuition waiver for Arkansas National Guard soldiers and airmen — Tuition assistance for soldiers.

(a) Colleges, universities, community colleges, technical schools, and other postsecondary institutions of higher education located in the State of Arkansas that directly receive funds appropriated by the General Assembly may waive up to one hundred percent (100%) of the tuition at the institution for soldiers and airmen of the Arkansas National Guard.

(b)(1) The Adjutant General of Arkansas shall establish and publish rules for the eligibility and implementation of tuition assistance programs sponsored by the armed services.

(2) The Adjutant General’s rules shall conform to the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(3) The Adjutant General shall provide each postsecondary institution of higher education located in the State of Arkansas a copy of the rules within thirty (30) days after publication.

History. Acts 2003, No. 1045, § 1; 2005, No. 82, § 1; 2013, No. 1011, § 1; 2019, No. 315, § 363.

Amendments. The 2019 amendment substituted “rules” for “regulations” throughout (b).

6-60-212. Admissions — Applicants from medically underserved areas.

(a) In an effort to address health disparities and the current shortage of nursing professionals in the state, each board of trustees of a publicly supported institution of higher education may establish a program under which additional consideration in admission to the institution and to the nursing or health career program is given to an applicant from a rural, medically underserved area of the state who is interested in pursuing a nursing or other healthcare career in a rural, medically underserved area of the state.

(b) The program for additional consideration under subsection (a) of this section may include, without limitation, the following measures:

(1) Early targeting of potential candidates from rural, medically underserved areas of the state who are interested in nursing and other healthcare professions, including junior high school, high school, two-year college, and four-year college students;

(2) Recruiting and guiding individuals from rural, medically underserved areas of the state who are interested in pursuing nursing and other healthcare professions in rural, medically underserved areas;

(3) Offering programs to prepare identified nursing and other health career candidates from rural, medically underserved areas of the state for meeting admission requirements to a postsecondary nursing program, including, without limitation, preparatory programs offered with the aid of video and distance learning tools; and

(4) Providing that individuals from a rural, medically underserved area of the state who are interested in nursing or other healthcare professions receive an equal opportunity for success.

(c) Upon request, the Arkansas Higher Education Coordinating Board shall provide assistance to publicly supported institutions of higher education in implementing programs offered under this section.

(d) The coordinating board shall report annually to the House Committee on Public Health, Welfare, and Labor and the Senate Committee on Public Health, Welfare, and Labor regarding implementation of this section.

History. Acts 2005, No. 1256, § 1.

6-60-213. Reduced tuition for certain police officers — Definitions.

(a) As used in this section:

(1)(A) “Covered police officer” means:

(i) An employee of the Division of Arkansas State Police who:

(a) Holds the rank of state trooper or a higher rank; and

(b) Has been an employee of the Division of Arkansas State Police for ten (10) or more years;

(ii) A highway police officer who has been an employee of the Arkansas Highway Police Division of the Arkansas Department of Transportation for ten (10) or more years;

(iii) An officer of the State Capitol Police who has been an employee of the State Capitol Police for ten (10) or more years; or

(iv) A wildlife officer who has been an employee of the Arkansas State Game and Fish Commission for ten (10) or more years.

(B) "Covered police officer" does not include:

(i) A civilian employee; or

(ii) A person who is temporarily employed as a covered police officer due to an emergency situation;

(2) "Dependent" means:

(A) Any natural child, stepchild, or adopted child of a covered police officer; and

(B) Any individual of whom a covered police officer is the legal guardian;

(3) "Public institution of higher education" means a public university, college, technical college, or community college; and

(4)(A) "Tuition" means charges levied for attendance at an institution of higher education.

(B) "Tuition" does not include any fees charged or used for student activities, including without limitation any student athletic fee.

(b)(1) Any covered police officer or his or her dependent who is enrolled or has been accepted for enrollment in a public institution of higher education in Arkansas may have tuition reduced at a rate equal to the reduced rate of tuition provided to employees of that public institution of higher education if his or her employer elects to offer reduced tuition.

(2) An employer of a covered police officer may elect to offer reduced tuition based on the amount of funds available.

(3) If the employer of the covered police officer elects to offer reduced tuition, the employer shall pay to the public institution of higher education the difference between the regular tuition rate and the reduced rate of tuition provided to employees of the public institution of higher education.

(c) No covered police officer or his or her dependent may utilize the reduced rate of tuition for educational purposes beyond the baccalaureate degree.

(d) The employer of a covered police officer electing to offer reduced tuition for covered police officers shall develop criteria regarding the awarding of reduced tuition, including without limitation:

(1) Academic requirements to continue receiving reduced tuition;

(2) The length of time reduced tuition may be offered;

(3) Procedures to be followed in the event the covered police officer or his or her dependent experiences a severe personal illness, a medical disability, or activation for full-time military service; and

(4) Appeal procedures that a covered police officer may follow if his or her reduced tuition is discontinued by the employer.

History. Acts 2007, No. 291, § 1; 2017, No. 707, § 6.

Amendments. The 2017 amendment substituted "A" or "An" for "Any" in (a)(1)(A)(i) through (a)(1)(A)(iv); substi-

tuted "Department of Arkansas State Police" for "department" in (a)(1)(A)(i)(b); and substituted "Department of Transportation" for "State Highway and Transportation Department" in (a)(1)(A)(ii).

6-60-214. Tuition benefits for soldiers and airmen of the Arkansas National Guard.

(a) A soldier or airman of the Arkansas National Guard may attend a state-supported institution of higher education tuition-free if the soldier or airman:

- (1) Is an Arkansas resident;
 - (2) Except as provided in subdivision (f)(3) of this section, has completed initial active duty training;
 - (3) Except as provided in subsection (f) of this section, is in good standing as an active soldier or airman of the Arkansas National Guard;
 - (4) Has been accepted to and is enrolled in a state-supported institution of higher education as a student in good standing;
 - (5) Completed and submitted to the United States Department of Education a Free Application for Federal Student Aid (FAFSA);
 - (6) Submitted applications for:
 - (A) Federal and state grants and scholarships for which the soldier or airman is eligible; and
 - (B) Grants and scholarships awarded by the state-supported institution of higher education in which the soldier or airman is enrolled;
 - (7) Is enrolled in a program of study leading to an undergraduate degree; and
 - (8) Has not received a bachelor's degree.
- (b) The tuition-free benefit under this section does not apply to high school students concurrently enrolled in a state-supported institution of higher education.

(c)(1) The tuition-free benefit under this section is available for a maximum of one hundred twenty (120) semester credit hours.

(2) Semester credit hours taken in remedial courses shall be included in the maximum number of semester hours under subdivision (c)(1) of this section.

(d) To remain eligible to receive the tuition-free benefit under this section, a soldier or airman:

(1) Shall maintain satisfactory academic progress as determined by the state-supported institution of higher education in which the soldier or airman is enrolled; and

(2) Shall not drop more than six (6) semester credit hours during the period in which the soldier or airman receives the tuition-free benefit under this section unless dropping the courses is necessitated by a:

(A) Mobilization that interrupts the enrollment of the soldier or airman in the state-supported institution of higher education; or

(B) Medical reason approved by the Adjutant General.

(e) The State of Arkansas shall reimburse the following for the remainder of tuition expenses that are not covered by funding sources under subsection (a) of this section for each soldier and airman of the Arkansas National Guard who enrolls in the state-supported institution of higher education under subsection (a) of this section:

(1) A state-supported institution of higher education; and

(2) An exclusively online, degree-offering institution that is associated with a state-supported institution of higher education.

(f)(1) In the event of a nonmedical discharge or a medical discharge that is not caused by an illness or injury related to the performance of duties for the Arkansas National Guard, the soldier or airman is eligible to receive the tuition-free benefit under this section from the date of discharge and for the longer of:

(A) One (1) semester; or

(B) A period of time equal to the length of a mobilization, if any, that interrupted the enrollment of the soldier or airman in a state-supported institution of higher education while receiving the tuition-free benefit under this section.

(2) In the event of medical discharge or medical retirement as a result of illness or injury incurred in the line of duty as the result of a state or federal activation or a terrorist action as determined by the Governor, the soldier or airman is eligible to receive the tuition benefit under this section beginning from the date of discharge or retirement and either until completion of the degree program in which the member of the Arkansas National Guard is enrolled or for five (5) years, whichever occurs first.

(3) In the event of an exigent circumstance that warrants a temporary waiver of the initial active duty training requirement in accordance with the rules promulgated under subdivision (h)(1) of this section, the soldier or airman is eligible to receive the tuition benefit under this section.

(g) Payments for the tuition-free benefit under this section shall be made directly to the state-supported institution of higher education on behalf of and for the benefit of the soldier or airman in a manner established by rule of the Adjutant General.

(h)(1) The Adjutant General, in coordination with the Division of Higher Education, shall promulgate rules for the implementation of this section, including without limitation rules for the eligibility of soldiers and airmen.

(2) The Department of the Military and the division shall meet regularly to monitor and measure the success of this section, including without limitation to assess graduation rates of the soldiers and airmen under this section.

(i) The cost of a soldier's or airman's mandatory fees charged by an institution of higher education that the soldier or airman is attending

may be paid for with available funds allocated by the division for the tuition-free program under this section.

History. Acts 2017, No. 471, § 2; 2019, No. 535, § 1; 2019, No. 910, § 5529; 2021, No. 76, §§ 1, 2; 2021, No. 133, §§ 1, 2.

A.C.R.C. Notes. Acts 2017, No. 471, § 1, provided: “Legislative findings. The General Assembly finds that:

“(1) The strength and personnel of the Arkansas National Guard have been reduced to the point where its readiness to carry out national missions, state emergency missions, and other assignments has been compromised and the health and well-being of Arkansas’s citizens are potentially endangered;

“(2) During the 2016 fiscal year, the Arkansas National Guard lost a Cavalry Squadron to Pennsylvania, a Transportation Company to Missouri, and, due to its inability to provide sufficient personnel for them, repurposed National Guard facilities located in Berryville, Blytheville, Brinkley, Crossett, Magnolia, Monticello, Rector, Wynne, and Helena-West Helena;

“(3) The repurposing of the facilities has resulted in a loss of at least \$33.9 million to the local economies and the inability to attract another large unit to the state in the 2016 fiscal year has resulted in a loss of \$37.2 million to the economy of Arkansas;

“(4) As of the end the 2016 fiscal year, the Arkansas National Guard was ranked last in strength percentage compared to bordering states and, since 2005, the Arkansas National Guard has lost the most personnel in the seven-state area;

“(5) More educated soldiers and airmen of the Arkansas National Guard would provide Arkansas an opportunity to attract more business and industry as a result of a more educated workforce;

“(6) Federal dollars and incentives each soldier and airman is currently qualified to receive cover only a portion of the overall expense of obtaining a college education and fluctuate frequently within any given year;

“(7) Neighboring states with which the Arkansas National Guard competes for members have enacted policies that pro-

vide their soldiers and airmen tuition-free college education by paying tuition-related expenses not met with federal dollars;

“(8) Currently, education incentives provided by the State of Arkansas are insufficient to compete with neighboring states or to serve as a tool to help produce fully staffed units in the Arkansas National Guard; and

“(9) Legislation is necessary to enable soldiers and airmen of the Arkansas National Guard to attend state-supported institutions of higher education tuition free, which will place Arkansas on a level playing field with neighboring states and the Arkansas National Guard on track to achieving necessary strength and readiness levels.”

Acts 2017, No. 471, § 4, provided: “An eligible service member who is enrolled in an approved institution that is a private postsecondary institution and receiving a tuition incentive under the Arkansas National Guard Tuition Incentive Program as of the effective date of this act [March 13, 2017] shall continue to receive the tuition incentive under § 12-62-601 et seq., as it existed on January 1, 2017.”

Amendments. The 2019 amendment by No. 535 added (i).

The 2019 amendment by No. 910 substituted “Division of Higher Education” for “Department of Higher Education” in (h)(1) and (h)(2); and substituted “Department of the Military” for “State Military Department” in (h)(2).

The 2021 amendment by No. 76 redesignated part of (a)(2) as (a)(3), and redesignated the remaining subdivisions accordingly; added “Except as provided in subdivision (f)(3) of this section” in (a)(2); and added (f)(3).

The 2021 amendment by No. 133 deleted (b)(2), and removed the (b)(1) designation; substituted “reimburse the following” for “reimburse a state-supported institution of higher education” in (e); added (e)(1) and (e)(2); and made a stylistic change.

6-60-215. Nontraditional documented immigration status.

(a)(1) A state-supported institution of higher education may classify a student as in-state, limited to the terms and purpose of tuition and fees applicable to all programs of study at the state-supported institution of higher education, if the student satisfies one (1) of the following requirements:

(A) The student personally holds or is the child of a person who holds a federal Form I-766 United States Citizenship and Immigration Services-issued Employment Authorization Document, known popularly as a “work permit”;

(B) The student has verified that he or she is a resident legally present in Arkansas and has immigrated from the Republic of the Marshall Islands; or

(C)(i) The student’s request for an exemption under Deferred Action for Childhood Arrivals has been approved by the United States Department of Homeland Security.

(ii) The student’s exemption shall not be expired, or shall have been renewed.

(2) A student who satisfies one (1) of the requirements under subdivision (a)(1) of this section shall have:

(A) Resided in this state for at least three (3) years at the time the student applies for admission to a state-supported institution of higher education; and

(B) Either:

(i) Graduated from a public or private high school in this state; or

(ii) Received a high school equivalency diploma in this state.

(b)(1) The Division of Higher Education shall promulgate rules necessary to implement this section.

(2)(A) When adopting the initial rules to implement this section, the final rule shall be filed with the Secretary of State for adoption under § 25-15-204(f):

(i) On or before January 1, 2020; or

(ii) If approval under § 10-3-309 has not occurred by January 1, 2020, as soon as practicable after approval under § 10-3-309.

(B) The division shall file the proposed rule with the Legislative Council under § 10-3-309(c) sufficiently in advance of January 1, 2020, so that the Legislative Council may consider the rule for approval before January 1, 2020.

History. Acts 2019, No. 844, § 1.

SUBCHAPTER 3 — TUITION IN NEIGHBORING STATES**SECTION.**

6-60-301, 6-60-302. [Repealed.]

6-60-303. Higher Education Tuition Adjustment Fund.

Publisher's Notes. Former subchapter 3, concerning students studying outside the state, was repealed by Acts 1993, No. 1259, § 13. The subchapter was derived from the following sources:

6-60-301. Acts 1970 (1st Ex. Sess.), No. 18, §§ 1-3; 1975, No. 152, § 11; A.S.A. 1947, §§ 80-2874, 80-2876, 80-2877.

6-60-302. Acts 1973, No. 745, §§ 1-3; A.S.A. 1947, §§ 80-2891, 80-2891.1, 80-2891.2.

6-60-303. Acts 1969, No. 483, §§ 1-4; 1977, No. 614, § 1; A.S.A. 1947, §§ 80-2879 — 80-2882.

6-60-304. Acts 1985, No. 218, §§ 1-3; A.S.A. 1947, §§ 80-2896 — 80-2896.2.

6-60-305. Acts 1973, No. 113, §§ 1-3.

For present law, see § 6-81-1101.

Effective Dates. Acts 1997, No. 1211, § 40: July 1, 1997. Emergency clause provided: "It is hereby found and determined by the Eighty-First General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1997 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1997 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997."

Acts 2001, No. 1612, § 42: July 1, 2001. Emergency clause provided: "It is found

and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2001 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2001 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2001."

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-60-301, 6-60-302. [Repealed.]

Publisher's Notes. These sections, concerning the Higher Education Tuition Adjustment Fund, were repealed by Acts 2001, No. 1612, §§ 30, 31. The sections were derived from the following sources:

6-60-301. Acts 1995, No. 1185, § 34.

6-60-302. Acts 1997, No. 342, § 39.

6-60-303. Higher Education Tuition Adjustment Fund.**(a) HIGHER EDUCATION TUITION ADJUSTMENT FUND.**

(1) The Higher Education Tuition Adjustment Fund is hereby created upon the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(2) The Higher Education Tuition Adjustment Fund shall consist of those revenues that are allocated to it by law.

(b) PURPOSE OF HIGHER EDUCATION TUITION ADJUSTMENT FUND.

(1) It is the intent of the General Assembly that the Higher Education Tuition Adjustment Fund ensure that bona fide Arkansas income taxpayers and their dependents who are residents of a bordering state in a contiguous county to the Arkansas state line which is contiguous to a county where an institution of higher education is located receive the same higher education opportunities as all other taxpayers.

(2) In establishing this policy, it is the intent of the General Assembly that taxpayers should have affordable access to the state's higher education institutions.

(c) TRACKING AND REPORTING.

(1) Furthermore, the Division of Higher Education will require each institution to track and report the number of qualifying students each year.

(2)(A) A list of students who benefit from the out-of-state tuition waiver, including their Social Security numbers or their Arkansas taxpaying parents' or guardians' names and Social Security numbers, will be furnished by the division to the Department of Finance and Administration for confirmation that they or their parents are employed in Arkansas at a wage in excess of five thousand five hundred dollars (\$5,500) per annum.

(B) Documentation should be either an official W-2 form from an Arkansas employer reflecting wages of at least five thousand five hundred dollars (\$5,500) in the tax year prior to enrollment in college or official employer verification of a current year salary minimum of at least five thousand five hundred dollars (\$5,500), which the college will keep on file for enrollment audit purposes.

(d) APPROPRIATION TRANSFER PROCEDURES.

(1) The Director of the Division of Higher Education shall determine the difference between the amount of tuition revenue which would have been generated by charging the Arkansas Higher Education Coordinating Board-approved out-of-state tuition rate to the students as compared to the approved in-state or out-of-district rate.

(2) Upon the determination, the director shall certify to the Chief Fiscal Officer of the State and the Treasurer of State those amounts that are required to be transferred from the Higher Education Tuition Adjustment Fund.

(3) Upon receiving the certification, the Chief Fiscal Officer of the State and the Treasurer of State shall cause to be transferred the necessary funds and appropriation to the fund account of the institution receiving certification from the director.

(4) In order to provide funding for the appropriation set out in the line item entitled “Tuition Adjustment” in the biennial operations appropriation act for the division, the Chief Fiscal Officer of the State shall transfer to the Higher Education Tuition Adjustment Fund from the Higher Education Grants Fund Account three hundred fifty thousand dollars (\$350,000) for each year of the biennium.

History. Acts 1997, No. 1211, § 28; 2001, No. 1612, § 32; 2019, No. 910, § 1941.

Amendments. The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Educa-

tion” throughout (c) and (d); and substituted “Higher Education Tuition Adjustment Fund” for “fund” in (d)(2).

Cross References. Higher Education Tuition Adjustment Fund, § 19-5-1076.

SUBCHAPTER 4 — EXTENSION COURSES

SECTION.

6-60-401. Purpose and intent of subchapter.

6-60-402. Authorization to establish extension courses.

SECTION.

6-60-403. Guidelines.

6-60-404. Facilities.

6-60-401. Purpose and intent of subchapter.

(a) The purpose of this subchapter is to make available to an increasing number of citizens of this state opportunities to obtain the benefits of courses of instruction at a college level.

(b) It is the intent of this subchapter to authorize state-supported institutions of higher education to establish within communities in the areas served by the institutions extension courses designed to meet the specific educational and training needs of the communities served without the necessity of constructing new or additional campuses or without the construction of new classroom buildings or facilities.

History. Acts 1975, No. 717, §§ 1, 3; A.S.A. 1947, §§ 80-3368, 80-3370.

6-60-402. Authorization to establish extension courses.

(a) The boards of trustees of state-supported institutions of higher education of this state are authorized to establish in communities in the areas served by the respective institutions, where there is an established need therefor, extension courses of higher education instruction leading to a certificate or college credit.

(b) Such courses or programs of instruction or training may be scheduled on a daily or night basis, whichever is necessary to meet the educational or training needs of the communities served.

History. Acts 1975, No. 717, § 1; A.S.A. 1947, § 80-3368.

6-60-403. Guidelines.

All extension courses offered by colleges and universities shall meet the guidelines of the "Off-Campus Instruction Policy", as adopted by the Arkansas Higher Education Coordinating Board.

History. Acts 1975, No. 717, § 2; A.S.A. 1947, § 80-3369.

6-60-404. Facilities.

(a) The courses of instruction and training provided for in this subchapter shall be provided in local facilities in the communities served which are made available by the community without cost to the state-supported institution of higher education, or which are made available on a rental or lease basis whereby the institution's rental or lease obligation shall not exceed fifty percent (50%) of the rental or lease cost therefor, with the remainder of the rental or lease cost to be provided from local sources within the communities served.

(b) The courses of instruction or training programs may be established on the campuses of vocational-technical schools or in existing public classroom facilities, upon agreements entered into by the boards of trustees of the state-supported institutions of higher education involved and the administrators or boards in charge of the vocational-technical school programs or school districts.

History. Acts 1975, No. 717, § 1; A.S.A. 1947, § 80-3368.

SUBCHAPTER 5 — IMMUNIZATION**SECTION.**

6-60-501. Purpose.

6-60-502. Proof of immunity.

6-60-503. Rules — Enforcement.

SECTION.

6-60-504. Physical disabilities — Religious objections.

Effective Dates. Acts 2003, No. 999, § 4[5]: Apr. 1, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the federal District Courts for the Eastern and Western Districts of Arkansas have held the state's school immunization statute to be unconstitutional, that the courts have stayed the effect of the finding, that if the stay is lifted before this act becomes effective, some students will be excluded from school attendance.

Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-60-501. Purpose.

(a) Immunizations against measles, rubella, and other communicable diseases have resulted in a dramatic decrease in the incidence of these diseases in this country.

(b) However, these diseases continue to occur on campuses of American colleges and universities, and a more intensified effort is needed to prevent and control these diseases.

(c) A requirement that certain college and university enrollees furnish proof that they have immunity against certain communicable diseases will alleviate the potential for an outbreak of those diseases.

(d) The purpose of this legislation is to assure that certain enrollees of public and private colleges and universities in Arkansas, prior to attendance, furnish proof of immunity against measles, rubella, and other diseases designated by the State Board of Health.

History. Acts 1987, No. 141, § 1.

6-60-502. Proof of immunity.

No part-time student housed in on-campus premises and no full-time student may attend a public or private college or university in this state unless he or she has furnished proof, within such time as set by the college or university, but not to exceed thirty (30) calendar days after enrollment, by way of an official record from another educational institution in Arkansas or a certificate from a licensed medical doctor or an authorized public health department representative, that he or she has immunity against measles, rubella, and such other diseases as delineated by the State Board of Health.

History. Acts 1987, No. 141, § 2.

6-60-503. Rules — Enforcement.

(a) The State Board of Health is empowered to promulgate rules for the proper enforcement of the provisions of this subchapter, including, but not limited to, the authority to examine records and conduct investigations to assure compliance.

(b) The responsibility for the enforcement of these requirements rests with the directors of admissions or registration at each college or university.

History. Acts 1987, No. 141, § 3; 2019, No. 315, § 364. deleted “and regulations” following “rules” in (a).

Amendments. The 2019 amendment

6-60-504. Physical disabilities — Religious objections.

(a) If, at the discretion of a medical doctor licensed to practice in Arkansas, an individual is deemed to have a physical disability which may contraindicate one (1) or more of the vaccinations required by this

subchapter, a certificate approved by the Department of Health and signed by the medical doctor may be accepted in lieu of proof of vaccination.

(b)(1) The provisions of this subchapter shall not apply if the individual furnishes to the college or university a letter of exemption from the department.

(2)(A) The individual shall complete an annual application process developed in the rules of the department for medical, religious, and philosophical exemptions.

(B) The rules developed by the department for medical, religious, and philosophical exemptions shall include, but not be limited to:

(i) A notarized statement requesting a religious, philosophical, or medical exemption from the department by the individual regarding the objection;

(ii) Completion of an educational component developed by the department that includes information on the risks and benefits of vaccination;

(iii) An informed consent from the individual that shall include a signed statement of refusal to vaccinate based on the department's refusal-to-vaccinate form; and

(iv) A signed statement of understanding that:

(a) At the discretion of the department, the unimmunized child or individual may be removed from day care or school during an outbreak if the child or individual is not fully vaccinated; and

(b) The child or individual shall not return to school until the outbreak has been resolved and the department approves the return to school.

(3) No exemptions may be granted under this subsection until the application process has been implemented by the department and completed by the applicant.

History. Acts 1987, No. 141, § 4; 2003, No. 999, § 2; 2019, No. 315, § 365. deleted “and regulations” following “rules” in (b)(2)(A) and the introductory language of (b)(2)(B).

Amendments. The 2019 amendment

RESEARCH REFERENCES

U. Ark. Little Rock L. Rev. Survey of Requirements, 26 U. Ark. Little Rock L. Legislation, 2003 Arkansas General Assembly, Education Law, Immunization Rev. 384.

SUBCHAPTER 6 — TEXTBOOKS AND COURSE MATERIALS

SECTION.

6-60-601. Adoption of textbooks and course materials.

6-60-602. Inducements to require textbooks prohibited.

6-60-603. Website links for textbooks and course materials.

SECTION.

6-60-604. Textbook royalties.

6-60-605. Campus bookstore advertising — Definitions.

Effective Dates. Acts 2007, No. 105, § 2: Feb. 14, 2007. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that institution of higher education professors may be offered financial incentives to select certain textbooks and course materials rather than others, and may personally benefit from the selection of certain textbooks and course materials; that in order to provide the best state-supported higher education possible, the best available textbooks and course materials should be objectively selected without regard to any personal financial gain; and that the passage of this act is immediately necessary to help students receive the best available textbooks and course materials needed for a quality education. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2007, No. 106, § 2: Feb. 14, 2007. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that state-supported institution of higher education professors may be offered financial incentives to select certain textbooks and course materials rather than others, and may personally benefit from the selection of certain textbooks and course materials; that in order to provide the best state-supported higher education possible, the best available textbooks and course materials should be objectively selected without regard to any personal financial gain; and that the passage of this act is immediately necessary to help students receive the best available textbooks and course materials needed for a quality education. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during

which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2007, No. 277, § 2: Mar. 16, 2007. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that many retailers of textbooks outside of the State of Arkansas do not pay sales and use taxes to the state for in-state sales; that the additional revenue to be generated by the passage of this act is needed to help provide the best state-supported higher education possible; and that the loss of such sales and use tax revenue should be stopped or limited immediately. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2007, No. 1205, § 2: Apr. 5, 2007. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that textbooks and course materials for state-supported institution of higher education students are often purchased at higher prices than necessary or not at all due to a lack of competitive advertising; that students sometimes do not purchase needed textbooks and course materials due to a lack of funds; and that the passage of this act is immediately necessary to enable students to obtain the textbooks and course materials needed to help ensure a quality education at a more affordable price. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-60-601. Adoption of textbooks and course materials.

(a)(1) For each full semester and collectively for summer sessions, a state-supported institution of higher education in this state shall distribute a list of all textbooks and course materials required or assigned for an undergraduate course by:

(A) Publication on its website; and

(B) Posting at its bookstore.

(2) The list shall be distributed no later than 12:00 noon on:

(A) April 1 for the following fall semester;

(B) November 1 for the following spring semester; and

(C) April 1 for all following summer sessions.

(b) For each textbook or course material the list shall include:

(1) A brief description of the textbook or course material;

(2) The author or authors;

(3) The title and edition; and

(4) Any special instructions or circumstances for the purchase or use of the textbook or course material.

(c) A textbook or course material for an undergraduate course may be adopted after the time specified in subsection (a) of this section for distributing the list if:

(1) The adoption is approved by the department chair and the dean or division head of the affected college; and

(2) The dean or division head of the college forwards to the chief academic officer of the affected state-supported institution of higher education the following information:

(A) A list of each late adoption;

(B) The names of the person or persons responsible for each late adoption; and

(C) A written statement explaining why each adoption was late.

History. Acts 2007, No. 175, § 1.

6-60-602. Inducements to require textbooks prohibited.

(a) No state-supported institution of higher education in this state or a department or employee of the institution of higher education shall demand or receive any present or promised gift, payment, loan, subscription, advance, deposit of money, services, or any other thing of value as an inducement for requiring students to purchase a specific textbook for coursework or instruction.

(b) This section shall not prevent an employee of the institution of higher education from receiving either:

(1) Sample copies, instructor's copies, or instructional material of a specific textbook required for coursework or instruction; or

(2) Royalties or other compensation from the sale or publication of a textbook that includes the employee's own writing or work.

(c) A violation of this section:

(1) Shall be reported within ten (10) business days by the state-supported institution of higher education to the:

- (A) Chief academic officer of the institution;
- (B) Chief legal counsel of the institution; and
- (C) Legislative Council; and

(2) May be reported to the parties identified in subdivision (c)(1) of this section by any business or consumer.

History. Acts 2007, No. 105, § 1.

6-60-603. Website links for textbooks and course materials.

(a) No state-supported institution of higher education in this state shall place or permit to be placed on its website or its bookstore's website a link to the website of a retailer of textbooks or other educational materials if the retailer:

(1) Is not required to report and pay Arkansas sales and use taxes; and

(2) Does not obtain a use tax permit from the Department of Finance and Administration and report and pay Arkansas sales and use taxes on sales of textbooks and other educational materials to residents of this state.

(b) This section is intended to promote the state's ability to provide a quality but affordable higher education by strengthening the state's relationship with textbook retailers that support the state's educational mission by:

(1) Paying Arkansas sales and use taxes; and

(2) Interacting locally with state-supported institutions of higher education.

(c) Nothing in this section prevents a faculty member from referring students to any source for required or suggested textbooks or course materials.

(d)(1) A violation of subsection (a) of this section shall be reported to the department.

(2) If the department determines that a violation of subsection (a) of this section has occurred, it shall notify the state-supported institution of higher education of the violation.

History. Acts 2007, No. 277, § 1.

6-60-604. Textbook royalties.

(a) A state-supported institution of higher education shall establish guidelines for the use of royalties received by a faculty member from the sale of textbooks and course materials for classes taught by the faculty member.

(b) The guidelines shall:

(1) Be designed to acknowledge the conflict of interest; and

(2) Specify how the royalties may be used, giving priority consideration to programs that benefit students academically.

History. Acts 2007, No. 106, § 1.

6-60-605. Campus bookstore advertising — Definitions.

(a)(1) If any state-supported institution of higher education advertises or allows an on-campus bookstore to submit advertising for inclusion in orientation packets or through the electronic media services of the state-supported institution of higher education or as part of a presentation to any student group, then the state-supported institution of higher education shall allow a private local textbook vendor access to distribute the private local textbook vendor's advertising by the same distribution method if requested in writing by the private local textbook vendor.

(2) The state-supported institution of higher education:

(A) Shall distribute the advertising of a private local textbook vendor contemporaneously with the advertising of the on-campus bookstore;

(B) May request a modification of the advertising of the on-campus bookstore or a private local textbook vendor if the advertising does not reflect the public interests of the state; and

(C) Is under no obligation to accept advertising from the on-campus bookstore or a private local textbook vendor.

(3) An on-campus bookstore and a private local textbook vendor shall be responsible for the costs related to the preparation and production of all advertising material.

(b) As used in this section:

(1) "Advertising" means not more than two (2) pages of promotional material describing the availability and terms of sale of textbooks or course materials; and

(2) "State-supported institution of higher education" means any college, university, vocational school, trade school, or other postsecondary educational institution that receives any funding from the state.

(c) A violation of subsection (a) of this section:

(1) Shall be reported within ten (10) business days by the state-supported institution of higher education to the:

(A) Chief fiscal officer of the institution;

(B) Chief legal counsel of the institution; and

(C) Legislative Council; and

(2) May be reported to the parties identified in subdivision (c)(1) of this section by any business or consumer.

History. Acts 2007, No. 1205, § 1.

SUBCHAPTER 7 — COMPREHENSIVE ARKANSAS HIGHER EDUCATION ANNUAL REPORT ACT

SECTION.

6-60-701. Title.

6-60-702. Purpose.

6-60-703. Report.

SECTION.

6-60-704. Information submitted to Division of Higher Education for inclusion in report.

SECTION.

6-60-705. Limitations.

Effective Dates. Acts 2013, No. 1462, § 9: July 1, 2014.

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded sections of this act preceding the emer-

gency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-60-701. Title.

This subchapter shall be known as the "Comprehensive Arkansas Higher Education Annual Report Act".

History. Acts 2009, No. 416, § 1.

6-60-702. Purpose.

The Comprehensive Arkansas Higher Education Annual Report shall:

(1) Serve as a central tool for the General Assembly and others to evaluate all facets of the Arkansas higher education system; and

(2) Combine into one (1) report all higher education reports currently required by the General Assembly to be submitted separately.

History. Acts 2009, No. 416, § 1.

6-60-703. Report.

(a)(1) The Comprehensive Arkansas Higher Education Annual Report shall be submitted by the Division of Higher Education to the House Committee on Education and the Senate Committee on Education, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Governor no later than December 15, 2011, and each year thereafter.

(2) The Comprehensive Arkansas Higher Education Annual Report shall be posted on the division website for public inspection no later than January 1, 2012, and each year thereafter.

(b) The Comprehensive Arkansas Higher Education Annual Report shall consist of the following reports:

(1) Annually:

- (A) Scholarship programs, including without limitation the Arkansas Academic Challenge Scholarship Program;
- (B) Remediation rates, §§ 6-15-2401 and 6-61-221;
- (C) The Universal ACT Assessment Program, § 6-18-1608;
- (D) Military students and families, § 6-61-112;
- (E) Retention rates and graduation rates, § 6-61-220;
- (F) Athletic expenditures, § 6-62-106;
- (G) Student enrollment, § 6-60-209; and
- (H) Affirmative action programs summaries, § 6-63-103;
- (2) Biennially, each even-numbered year:
 - (A) A financial condition report, § 6-61-222;
 - (B) Changes to affirmative action program plans, § 6-63-103; and
 - (C) Economic development goals and educational efforts, § 6-61-207; and
- (3) Every five (5) years, beginning in 2015:
 - (A) Minority retention plans, § 6-61-122; and
 - (B) Affirmative action program plans, § 6-63-103(c).
- (c)(1) All deadlines for higher education reports currently required by the General Assembly are superseded by subsection (b) of this section unless otherwise specified in this subchapter.
- (2) All financial reports provided to the Arkansas Higher Education Coordinating Board shall be included in the report, including the Annual Financial Condition Report.
- (d) All future higher education reports statutorily required by the General Assembly shall:
 - (1) Be submitted as part of the Comprehensive Arkansas Higher Education Annual Report; and
 - (2) Include a fiscal impact on administrative costs to the division.

History. Acts 2009, No. 416, § 1; 2011, No. 696, § 1; 2013, No. 1462, § 8; 2019, No. 256, § 1; 2019, No. 910, §§ 1942, 1943.

Amendments. The 2019 amendment by No. 256 deleted (b)(2)(A) and redesignated the remaining subdivisions accordingly; and substituted “A financial condi-

tion report” for “Uniform reporting standards” in present (b)(2)(A).

The 2019 amendment by No. 910 substituted “Division of Higher Education” for “Department of Higher Education” in (a)(1); and substituted “division” for “department” in (a)(2) and (d)(2).

6-60-704. Information submitted to Division of Higher Education for inclusion in report.

(a) All higher education reports submitted to the General Assembly or other governmental bodies by individual colleges and universities, agencies, boards, or commissions shall be submitted directly to the Division of Higher Education no later than November 1, 2011, and each year thereafter for inclusion in the Comprehensive Arkansas Higher Education Annual Report.

(b) If an institution of higher education fails to submit the required reports to the division by November 15, the institutions shall appear before the House Committee on Education and the Senate Committee

on Education to explain why they failed to meet the submission deadline.

(c) Financial information provided by an institution of higher education is subject to review by Arkansas Legislative Audit, and any adjustments made to previously submitted financial information during the course of a financial audit may be revised based upon recommendations made by Arkansas Legislative Audit.

History. Acts 2009, No. 416, § 1; 2011, No. 696, § 1; 2019, No. 910, § 1944.

Amendments. The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Educa-

tion” in the section heading and in (a); substituted “division” for “department” in (b); and, in (c), substituted “Arkansas Legislative Audit” for “the Division of Legislative Audit” and for “the division”.

6-60-705. Limitations.

(a) This subchapter does not limit the authority of the General Assembly to request additional interim reports and supplemental information from the Division of Higher Education, colleges and universities, or other entities as needed.

(b) The Comprehensive Arkansas Higher Education Annual Report shall take priority for the division staff over a report requested under subsection (a) of this section.

History. Acts 2009, No. 416, § 1; 2019, No. 910, § 1945.

Amendments. The 2019 amendment substituted “Division of Higher Educa-

tion” for “Department of Higher Education” in (a); and substituted “division” for “department” in (b).

SUBCHAPTER 8 — THE CLEAN AIR ON CAMPUS ACT OF 2009

SECTION.

6-60-801. Title.

6-60-802. Findings.

6-60-803. Definitions.

6-60-804. Prohibitions on smoking.

6-60-805. Notice of prohibition of smoking.

SECTION.

6-60-806. Rules — Promulgation and enforcement authority.

6-60-807. Penalties.

Effective Dates. Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled ‘Funding and

classification of cabinet-level department secretaries’ and ‘Transformation and Efficiencies Act transition team’ should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

6-60-801. Title.

This subchapter shall be known as the “Clean Air on Campus Act of 2009”.

History. Acts 2009, No. 734, § 1.

6-60-802. Findings.

The General Assembly finds that:

(1) Scientific research data have shown that nonsmokers often receive damage to their health from the smoking of tobacco by others;

(2) Smoking, directly or indirectly, is a major cause of preventable diseases and death;

(3) Secondhand smoke can cause or contribute to lung cancer, heart disease, chronic lung ailments, and low birth-weight; and

(4) A law that prohibits smoking on state-supported institutions of higher education campuses will reduce secondhand smoke exposure among nonsmokers.

History. Acts 2009, No. 734, § 1.

6-60-803. Definitions.

As used in this subchapter:

(1) “Campus” means all property, including buildings and grounds, that are owned or operated by a state-supported institution of higher education;

(2) “E-cigarette” means an electronic oral device that provides a vapor of nicotine or other substance that, when used or inhaled, simulates smoking, including without limitation a device that:

(A) Is composed of a heating element, battery, or electronic circuit or a combination of heating element, battery, and electronic circuit;

(B) Works in combination with a liquid nicotine delivery device composed, either in whole or in part, of pure nicotine and propylene glycol and manufactured for use with e-cigarettes; and

(C) Is manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under any other name or descriptor;

(3) “Employee” means an individual who is employed by a state-supported institution of higher education in consideration for direct or indirect monetary wages or profit;

(4) “Governing authority” means the administrative branch of the state-supported institution of higher education;

(5) “Guest” means a visitor to the campus of a state-supported institution of higher education;

(6) “Secondhand smoke” means smoke:

(A) Emitted from lighted, smoldering, or burning tobacco when the person is not inhaling;

(B) Emitted at the mouthpiece during puff drawing; and

(C) Exhaled by the person smoking;

(7) “Smoking” means inhaling, exhaling, burning, or carrying any:

(A) Lighted tobacco product, including cigarettes, cigars, and pipe tobacco; and

(B) Other lighted combustible plant material; and

(8) “Student” means an individual enrolled in a credit or noncredit course at a state-supported institution of higher education.

History. Acts 2009, No. 734, § 1; 2015, No. 847, § 1.

RESEARCH REFERENCES

ALR. Allowable Regulation of Electronic Cigarettes (E-Cigarettes). 46 A.L.R.7th Art. 5 (2019).

6-60-804. Prohibitions on smoking.

(a) Smoking or the use of e-cigarettes is prohibited on each campus of state-supported institutions of higher education.

(b) An individual or campus subject to the smoking prohibitions of this section shall not discriminate or retaliate in any manner against a person for making a complaint of a violation of this section or furnishing information concerning a violation to a person, campus, or governing authority.

(c) The prohibitions on smoking in this section shall be communicated to all students and employees of state-supported institutions of higher education a minimum of thirty (30) days before July 31, 2009, and to each guest of a state-supported institution of higher education upon request.

History. Acts 2009, No. 734, § 1; 2015, No. 847, § 2.

6-60-805. Notice of prohibition of smoking.

“No Smoking” signs or the international “No Smoking” symbol consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it may be clearly and conspicuously posted on each campus where smoking is prohibited by this subchapter.

History. Acts 2009, No. 734, § 1.

6-60-806. Rules — Promulgation and enforcement authority.

(a) The Arkansas Higher Education Coordinating Board may adopt reasonable rules that it determines necessary to carry out the purposes or facilitate the enforcement of this subchapter.

(b)(1) The Division of Higher Education may enforce compliance with this subchapter and any rules promulgated under this subchapter by the board.

(2) Under the rules of the board, the division may enter upon and inspect a campus at any reasonable time and in a reasonable manner.

History. Acts 2009, No. 734, § 1; 2019, No. 910, § 1946.

Amendments. The 2019 amendment substituted “Division of Higher Educa-

tion” for “Department of Higher Education” in (b)(1); and substituted “division” for “department” in (b)(2).

6-60-807. Penalties.

Any person who violates any provision of this subchapter is guilty of a violation and upon conviction shall be punished by a fine of not less than one hundred dollars (\$100) and not more than five hundred dollars (\$500).

History. Acts 2009, No. 734, § 1.

SUBCHAPTER 9 — ARKANSAS HIGHER EDUCATION INFORMATION SYSTEM

SECTION.

6-60-901. Definitions.

6-60-902. Arkansas Higher Education Information System.

SECTION.

6-60-903. Compliance by institutions of higher education.

Effective Dates. Acts 2011, No. 1195, § 3; Apr. 4, 2011. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that increasing the number of Arkansans who obtain postsecondary credentials is critical to the economic health of the state and its citizens; that the Arkansas Scholarship Lottery provides the opportunity for tens of thousands of Arkansans to obtain postsecondary education; that the continual evaluation of the Arkansas Academic Challenge Scholarship Program and of all state-supported scholarship and grant programs by the General Assembly is critical for maximizing the benefits to the state and its citizens of state financial aid for higher education and meeting state objectives for higher education; that accountability and transparency in the implementation of state-supported scholarship programs are fundamental to a proper evaluation of the programs; that the collection of data and access to that data by the Bureau of Legislative Research are necessary to ensure proper legislative oversight for that accountability and transparency; and that this act is immediately necessary for the Department of Higher Education to begin

developing the direct read and report only access to the data warehouse of the Arkansas Higher Education Information System, and for the Arkansas Higher Education Coordinating Board to promulgate rules to implement this act. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

Acts 2013, No. 1173, § 18; Apr. 12, 2013. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that increasing the number of Arkansans obtaining postsecondary credentials is critical to the economic health of the state and its citizens; that the Arkansas Scholarship Lottery provides the opportunity for tens of thousands of Arkansans to obtain postsecondary education; that the deadline for scholarship applications is June 1; that

the financial integrity of the Arkansas Scholarship Lottery is critical to the continued existence of the scholarships; and that this act is immediately necessary because the Department of Higher Education must promulgate rules to implement this act well before June 1, 2013, in order to provide eligible Arkansans the opportunity to apply for the scholarship. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

Acts 2015, No. 218, § 34: Feb. 26, 2015. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the stability of the Arkansas Scholarship Lottery is critical to the success of the Arkansas Academic Challenge Scholarship Program; that changes to the operational structure of the lottery are needed to improve the creditability and function of the lottery; and that this act is immediately necessary to ensure that the transition of lottery administration is as undistruptive as possible. Therefore, an

emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled ‘Funding and classification of cabinet-level department secretaries’ and ‘Transformation and Efficiencies Act transition team’ should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

6-60-901. Definitions.

As used in this subchapter:

(1) “Arkansas Higher Education Information System” means the database maintained by the Division of Higher Education containing student data files that the division and institutions of higher education in Arkansas are required to collect under §§ 6-85-214, 6-85-216, and 6-85-217, other state law, and federal law; and

(2) “Institution of higher education” means:

(A) An Arkansas state-funded community college;

(B) An Arkansas state-funded university; or

(C) A private college or university in Arkansas that receives state funding for student financial assistance or voluntarily participates in the system.

History. Acts 2011, No. 1195, § 1; 2013, No. 1173, § 1; 2019, No. 910, § 1947.

Amendments. The 2019 amendment substituted “Division of Higher Educa-

tion" for "Department of Higher Education" and "division" for "department" in (1).

6-60-902. Arkansas Higher Education Information System.

(a) The Division of Higher Education shall develop and maintain the Arkansas Higher Education Information System.

(b)(1) The Division of Higher Education shall provide the Bureau of Legislative Research with direct read-and-report-only access to the data warehouse of the system concerning student academic data, financial aid data, and related records.

(2)(A) In providing the bureau with the direct read-and-report-only access required under subdivision (b)(1) of this section, the Division of Higher Education shall take reasonable precautions, including electronic blocking or redacting, to prevent the disclosure of:

(i) Personally identifiable information of a student, unless the parent or guardian of a minor student or a student who is no longer a minor consents in writing to the disclosure of personally identifiable information about that student; or

(ii) Information that would cause the Division of Higher Education to lose funding under 20 U.S.C. § 1232g, as it existed on January 1, 2011.

(B) The Division of Higher Education shall:

(i) Work with the Division of Elementary and Secondary Education to develop the method of redaction to be used with the system based on the standards used by the Division of Elementary and Secondary Education; and

(ii) Disclose to the bureau and to the Legislative Council the method of electronic blocking or redaction the Division of Higher Education will use under this subsection.

(3)(A) The Division of Higher Education shall make its staff reasonably accessible for consultation with bureau staff in developing and responding appropriately to bureau requests under this section.

(B)(i) The bureau staff shall inform the Division of Higher Education of any warehouse data used in the preparation of reports and provide the Division of Higher Education at least one (1) working day to review any student-related warehouse data used in preparation of reports before publicly releasing that student-related data without personally identifiable information of a student.

(ii) This subdivision (b)(3)(B) does not waive the confidentiality of a request of a member of the General Assembly under § 10-2-129.

(c) The Division of Higher Education shall provide other information and records requested by the bureau as soon as possible and in whatever reasonable form requested.

(d) To the extent possible, the Division of Higher Education, in cooperation with the Division of Elementary and Secondary Education, shall maintain the system in a manner that ultimately will be compatible with implementing a P-20W student data system for the state.

History. Acts 2011, No. 1195, § 1; 2013, No. 1173, § 2; 2015, No. 218, § 3; 2015, No. 1258, § 3; 2019, No. 910, § 1948.

A.C.R.C. Notes. The “P-20W student data system” referenced in this section is a Statewide Longitudinal Data System under the Educational Technical Assistance Act of 2002, 20 U.S.C. § 9601 et seq.

Acts 2015, No. 1258, § 1, provided: “LEGISLATIVE FINDINGS. The General Assembly finds:

“(1) Amendment 92 to the Arkansas Constitution states in part: ‘The General Assembly may provide by law for the review by a legislative committee of administrative rules promulgated by a state agency before the administrative rules become effective; and that administrative rules promulgated by a state agency shall not become effective until reviewed and approved by the legislative committee charged by law with the review of administrative rules under subdivision (a)(1) of this section’;

“(2) As Amendment 92 does not define the term ‘state agency’, the General Assembly may establish a definition by law as part of its implementation of Amendment 92;

“(3) The General Assembly at this time wishes to exclude the Arkansas State Game and Fish Commission, the State Highway Commission, the Arkansas State Highway and Transportation Department, and institutions of higher education from the definition of ‘state agency’ applied to the implementation of Amendment 92; and

“(4) The General Assembly or the Legislative Council reserve the right to amend the definition of ‘state agency’ in the future to include one (1) or all of the Arkansas State Game and Fish Commission, the State Highway Commission, the Arkansas State Highway and Transportation Department, and institutions of higher education.”

Publisher’s Notes. Acts 2015, No. 1258, § 3 specifically amended this section as amended by Acts 2015, No. 218.

Amendments. The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Education” throughout the section; deleted “By December 31, 2011” from the beginning of (b)(1); and substituted “Division of Elementary and Secondary Education” for “Department of Education” twice in (b)(2)(B)(i) and in (d).

6-60-903. Compliance by institutions of higher education.

(a) An institution of higher education shall provide the data required under this subchapter at the time and in the manner:

(1) Required by rules of the Arkansas Higher Education Coordinating Board; and

(2) Published from time to time by the Division of Higher Education.

(b) Within two (2) weeks of an institution of higher education’s failure to comply with the requirements for submission of data published by the division, the division shall report to the Legislative Council:

(1) The name of an institution of higher education that has not complied with the deadline;

(2) The type of data the institution of higher education failed to submit;

(3) The length of time of noncompliance; and

(4) Any additional information requested by the Legislative Council.

History. Acts 2011, No. 1195, § 1; 2015, No. 218, § 4; 2015, No. 1258, § 4; 2019, No. 910, §§ 1949, 1950.

A.C.R.C. Notes. Acts 2015, No. 1258, § 1, provided: “LEGISLATIVE FINDINGS.

The General Assembly finds:

“(1) Amendment 92 to the Arkansas Constitution states in part: ‘The General Assembly may provide by law for the review by a legislative committee of administrative rules promulgated by a state

agency before the administrative rules become effective; and that administrative rules promulgated by a state agency shall not become effective until reviewed and approved by the legislative committee charged by law with the review of administrative rules under subdivision (a)(1) of this section’;

“(2) As Amendment 92 does not define the term ‘state agency’, the General Assembly may establish a definition by law as part of its implementation of Amendment 92;

“(3) The General Assembly at this time wishes to exclude the Arkansas State Game and Fish Commission, the State Highway Commission, the Arkansas State Highway and Transportation Department, and institutions of higher education from the definition of ‘state agency’ ap-

plied to the implementation of Amendment 92; and

“(4) The General Assembly or the Legislative Council reserve the right to amend the definition of ‘state agency’ in the future to include one (1) or all of the Arkansas State Game and Fish Commission, the State Highway Commission, the Arkansas State Highway and Transportation Department, and institutions of higher education.”

Publisher’s Notes. Acts 2015, No. 1258, § 4 specifically amended this section as amended by Acts 2015, No. 218.

Amendments. The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Education” in (a)(2); and substituted “division” for “department” twice in the introductory language of (b).

SUBCHAPTER 10 — FORMING OPEN AND ROBUST UNIVERSITY MINDS (FORUM) ACT

SECTION.	SECTION.
6-60-1001. Title.	students and student organizations.
6-60-1002. Legislative intent.	
6-60-1003. Definitions.	6-60-1007. Free expression policies.
6-60-1004. Protected expressive activities.	6-60-1008. Accountability to the public.
6-60-1005. Public forums.	6-60-1009. Remedies.
6-60-1006. Freedom of association — Nondiscrimination against	6-60-1010. Statute of limitations.

6-60-1001. Title.

This subchapter shall be known and may be cited as the “Forming Open and Robust University Minds (FORUM) Act”.

History. Acts 2019, No. 184, § 1.

6-60-1002. Legislative intent.

The General Assembly finds that:

- (1) The First Amendment to the United States Constitution and the Arkansas Constitution protect the rights of free speech, freedom of the press, freedom of religion, and freedom of association for all citizens;
- (2) The United States Supreme Court has called public universities “peculiarly the marketplace of ideas”, *Healy v. James*, 408 U.S. 169, 180 (1972), where young adults learn to exercise these constitutional rights necessary to participate in our system of government and to tolerate the exercise of those rights by others, and there is “no room for the view that ... First Amendment protections should apply with less force on

college campuses than in the community at large”, Healy, 408 U.S. at 180;

(3) The exercise of First Amendment rights on the campuses of state-supported institutions of higher education in this state is a critical component of the education experience for students and requires that each state-supported institution of higher education in this state ensure free, robust, and uninhibited debate and deliberation by students, whether on or off campus;

(4) State-supported institutions of higher education in this state and elsewhere should provide adequate safeguards for the First Amendment rights of their students to avoid a stifling of expression on campus;

(5) The United States Supreme Court has warned that if state-supported institutions of higher education stifle student speech and prevent the open exchange of ideas on campus, “our civilization will stagnate and die”, *Sweezy vs. New Hampshire*, 354 U.S. 234, 250 (1957);

(6) A significant amount of taxpayer dollars is appropriated to state-supported institutions of higher education each year, and the General Assembly must ensure that all state-supported institutions of higher education receiving state funds recognize freedom of speech as a fundamental right for all; and

(7) State-supported institutions of higher education should strive to ensure the fullest degree of intellectual and academic freedom and free expression, and it is not the proper role of state-supported institutions of higher education to shield individuals from speech that is protected by the First Amendment to the United States Constitution, including without limitation ideas and opinions the individuals may find unwelcome, uncollegial, disagreeable, or even deeply offensive.

History. Acts 2019, No. 184, § 1.

6-60-1003. Definitions.

As used in this subchapter:

(1) “Benefit” means the following:

(A) Recognition;

(B) Registration;

(C) The use of facilities of a state-supported institution of higher education for meetings or speaking purposes;

(D) The use of channels of communication; and

(E) Funding sources that are available to student organizations at the state-supported institution of higher education;

(2) “Campus community” means:

(A) A state-supported institution of higher education’s:

(i) Students;

(ii) Administrators;

(iii) Faculty; and

(iv) Staff; and

(B) Invited guests of:

- (i) The state-supported institution of higher education; or
 - (ii) Any individual in subdivisions (2)(A)(i)-(iv) of this section;
- (3) "Counter demonstration" means lawful action or conduct that:
- (A) Criticizes or objects to an expressive activity on campus; and
 - (B) Does not violate the rights of others in the campus community by materially disrupting previously scheduled or reserved activities in a portion or section of the campus at that scheduled time;
- (4) "Free-speech zone" means an area on the campus of a state-supported institution of higher education that is designated for the purpose of engaging in an expressive activity;
- (5) "Harassment" means expression that is so severe, pervasive, and subjectively and objectively offensive that it effectively denies access to an educational opportunity or benefit provided by the state-supported institution of higher education;
- (6)(A) "Materially and substantially disrupts" means a disruption that occurs when a person, with the purpose or knowledge of significantly hindering the expressive activity of another person or group, prevents the communication of a message of another person or group, or prevents the transaction of the business of a lawful meeting, gathering, or procession by:
- (i) Engaging in fighting, violence, or other unlawful behavior; or
 - (ii) Physically blocking or using threats of violence to prevent any person from attending, listening to, viewing, or otherwise participating in an expressive activity.
- (B) "Materially and substantially disrupts" does not include conduct that is protected under the First Amendment to the United States Constitution or Arkansas Constitution, Article 2, §§ 4, 6, and 24, which includes without limitation:
- (i) Lawful protests in an outdoor area of campus that is generally accessible to members of the campus community, except during times when the area has been reserved in advance for another event; or
 - (ii) Minor, brief, or fleeting nonviolent disruptions of events that are isolated and short in duration;
- (7)(A) "Outdoor areas of campus" means the generally accessible outside areas of the campus of a state-supported institution of higher education where members of the campus community are commonly allowed, including without limitation:
- (i) Grassy areas;
 - (ii) Walkways; and
 - (iii) Other similar common areas.
- (B) "Outdoor areas of campus" does not include outdoor areas where access by the majority of the campus community is restricted;
- (8)(A) "State-supported institution of higher education" means without limitation an Arkansas state-funded:
- (i) Community college; or
 - (ii) University.
- (B) "State-supported institution of higher education" does not include:

(i) A public school, public or private institution of higher education, or public or private technical school that operates within the Division of Correction or the Division of Community Correction, or the Division of Youth Services;

(ii) An educational program that is provided or facilitated by the Division of Correction or the Division of Community Correction, or the Division of Youth Services; or

(iii) A private institution of higher education, regardless of whether the private institution of higher education receives any form of state support, including without limitation the receipt of funds on behalf of students attending the private institution of higher education who receive state-supported scholarships;

(9) “Student” means any person who is enrolled on a full-time or part-time basis in a state-supported institution of higher education; and

(10) “Student organization” means an officially recognized group at a state-supported institution of higher education or a group seeking official recognition, composed of admitted students that receive or are seeking to receive benefits through the state-supported institution of higher education.

History. Acts 2019, No. 184, § 1; 2019, No. 633, § 1.

Amendments. The 2019 amendment added (8)(B)(iii).

6-60-1004. Protected expressive activities.

Expressive activities protected under this subchapter consist of speech and other conduct protected by the First Amendment to the United States Constitution, including without limitation:

(1) Communicating through any lawful verbal, written, or electronic means;

(2) Participating in peaceful assembly;

(3) Protesting;

(4) Making speeches, including without limitation those of guest speakers;

(5) Distributing literature;

(6) Making comments to the media;

(7) Carrying signs; and

(8) Circulating petitions.

History. Acts 2019, No. 184, § 1.

6-60-1005. Public forums.

(a) An outdoor area of campus of a state-supported institution of higher education shall be deemed a public forum for members of the campus community.

(b) State-supported institutions of higher education:

(1) Shall not create free-speech zones or other designated outdoor areas of campus outside of which expressive activities are prohibited; and

(2)(A) May maintain and enforce reasonable time, place, and manner restrictions for outdoor areas of campus that are narrowly tailored to serve a significant institutional interest only when such restrictions:

(i) Employ clear, published, content- and viewpoint-neutral criteria; and

(ii) Provide for ample alternative means of expression.

(B) Any restrictions under subdivision (b)(2)(A) of this section shall allow for members of the campus community to spontaneously and contemporaneously assemble, speak, and distribute literature.

(c) A member of the campus community who wants to engage in noncommercial expressive activity in an outdoor area of campus of a state-supported institution of higher education shall be permitted to do so freely as provided under subsection (b) of this section if the individual's conduct:

(1) Is not unlawful; and

(2) Does not materially and substantially disrupt, as defined under § 6-60-1003, the functioning of the state-supported institution of higher education.

(d) This section shall not be interpreted as:

(1) Limiting the right of campus community member expression elsewhere on campus;

(2) Preventing a state-supported institution of higher education from prohibiting, limiting, or restricting expression that the First Amendment to the United States Constitution does not implicate, including without limitation true threats and expression directed to provoke imminent lawless actions and likely to produce it, or prohibiting harassment as defined by § 6-60-1003; or

(3) Allowing an individual to engage in conduct that materially and substantially disrupts, as defined under § 6-60-1003, another person's expressive activity if the other person's activity is occurring in an area of campus that is reserved for an activity under the exclusive use or control of a particular group.

History. Acts 2019, No. 184, § 1.

6-60-1006. Freedom of association — Nondiscrimination against students and student organizations.

A state-supported institution of higher education shall not deny a student organization any benefit or privilege available to any other student organization or otherwise discriminate against an organization based on the expression of the organization, including any requirement that the leaders or members of an organization:

(1) Affirm and adhere to the organization's sincerely held beliefs or statement of principles;

(2) Comply with the organization's standards of conduct; and

(3) Further the organization's mission or purpose, as defined by the student organization.

History. Acts 2019, No. 184, § 1.

6-60-1007. Free expression policies.

State-supported institutions of higher education shall:

(1) Make public in their handbooks, on their websites, and through their orientation programs for students the policies, regulations, and expectations of students regarding free expression on campus consistent with this subchapter; and

(2) Develop materials, programs, and procedures to ensure that those persons who have responsibility for discipline or education of students, such as administrators, campus police officers, residence life officials, and faculty, understand the policies, regulations, and duties of state-supported institutions of higher education regarding free expression on campus consistent with this subchapter.

History. Acts 2019, No. 184, § 1.

6-60-1008. Accountability to the public.

Each state-supported institution of higher education shall submit to the Governor and Legislative Council a report that details:

(1) The course of action implemented to ensure compliance with the requirements of this subchapter by ninety (90) days after July 24, 2019; and

(2) Any changes or updates to the chosen course of action within thirty (30) days after making the changes or updates.

History. Acts 2019, No. 184, § 1.

6-60-1009. Remedies.

(a) A person or student organization aggrieved by a violation of this subchapter may:

(1) Bring an action against the state-supported institution of higher education and any other persons responsible for the violation and seek appropriate relief, including without limitation:

(A) Injunctive relief;

(B) Reasonable attorney's fees; and

(C) Expenses; and

(2) Assert such violation as a defense or counterclaim in any disciplinary action or in any civil or administrative proceeding brought against the person or student organization.

(b) This section does not limit any other remedies available to any person or student organization.

History. Acts 2019, No. 184, § 1.

6-60-1010. Statute of limitations.

A person or student organization is required to bring suit for violation of this subchapter not later than three (3) years after the day the cause of action accrues.

History. Acts 2019, No. 184, § 1.

SUBCHAPTER 11 — STUDENT JOURNALISTS**SECTION.**

6-60-1101. Definitions.

6-60-1102. Students' right of expression.

SECTION.

6-60-1103. Prohibited expression.

6-60-1101. Definitions.

As used in this subchapter:

(1) "Protected activity" means an expression of free speech or freedom of the press as guaranteed by the First Amendment to the United States Constitution and Arkansas Constitution, Article 2, § 6;

(2)(A) "School-sponsored media" means any material that is:

(i) Prepared, substantially written, published, or broadcast by a student journalist at a public institution of higher education;

(ii) Distributed or generally made available to members of a student body at a public institution of higher education; and

(iii) Prepared under the direction of a student media adviser.

(B) "School-sponsored media" does not include any media that are prepared as communications on behalf of a public institution of higher education intended for distribution or transmission;

(3) "Student journalist" means a student at a public institution of higher education who engages in journalistic activities as part of a formal program of instruction and training at a public institution of higher education, or as part of a recognized student organization at a public institution of higher education, by gathering, compiling, writing, editing, photographing, or preparing information for dissemination through school-sponsored media; and

(4) "Student media adviser" means an individual who is employed, appointed, or designated by a public institution of higher education to supervise or provide instruction to a student journalist with respect to school-sponsored media.

History. Acts 2019, No. 395, § 1.

6-60-1102. Students' right of expression.

(a)(1) Except as provided in § 6-60-1103, a student journalist has the right to engage in protected activities in school-sponsored media.

(2) This right exists regardless of whether the school-sponsored media are:

(A) Supported financially by the public institution of higher education;

(B) Produced using the facilities of the public institution of higher education; or

(C) Produced in conjunction with a class in which the student journalist is enrolled at the public institution of higher education.

(b) A student journalist is responsible for determining the news, opinions, features, and advertising content of any school-sponsored media, except as provided in § 6-60-1103.

(c) This section does not prevent a student media adviser or academic supervisor from teaching student journalists professional standards and responsibilities with respect to the English language and journalism or using professional academic judgment to assign work or evaluate the student journalist's performance as a journalist.

(d) A student media adviser shall not be dismissed, suspended, or disciplined for:

(1) Protecting a student journalist who engages in a protected activity under this subchapter; or

(2) Refusing to infringe on a student journalist's right to engage in a protected activity under this subchapter.

(e)(1) A student journalist who engages in a protected activity under this subchapter does not represent an expression of the policy of a public institution of higher education.

(2) The following institutions and individuals shall not be liable in any civil or criminal action for actions taken by a student journalist who engages in a protected activity under this subchapter:

(A) A public institution of higher education;

(B) An official of a public institution of higher education;

(C) An employee of a public institution of higher education; or

(D) A parent or legal guardian of a student journalist.

History. Acts 2019, No. 395, § 1.

6-60-1103. Prohibited expression.

The following types of expression by a student journalist are not protected activities under this subchapter:

(1) School-sponsored media that are libelous, slanderous, or obscene, as defined by state law;

(2) School-sponsored media that constitute an unwarranted invasion of privacy;

(3) School-sponsored media that violate federal or state law;

(4) School-sponsored media that constitute or incite students as to create:

(A) An unlawful act or a clear and present danger of the commission of an unlawful act;

(B) A violation of a policy of:

(i) The public institution of higher education at which the activity is occurring; or

(ii) The Division of Higher Education; or

- (C) A material and substantial disruption of the orderly operation of a public institution of higher education; or
- (5) School-sponsored media that involve the unauthorized use of the marks or logos of a public institution of higher education.

History. Acts 2019, No. 395, § 1.

SUBCHAPTER 12 — TRANSPARENCY IN FOREIGN INVESTMENT ACT

SECTION.

6-60-1201. Title.

6-60-1202. Definitions.

6-60-1203. Confucius Institutes — Certain affiliated entities — Prohibited.

SECTION.

6-60-1204. Foreign gifts and contracts — Acceptance and disclosure.

6-60-1205. Gifts and contracts — Annual disclosure report.

Effective Dates. Acts 2021, No. 1020, § 2: Apr. 29, 2021. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the Chinese Communist Party has already been found to have placed spies in institutions of higher education in this state; that it is necessary to preserve the state's security and ensure transparency in the actions taken by state-supported institutions of higher education; and that this act is immediately necessary before the upcoming academic year in order to prohibit certain contracts and

gifts that may be entered into or received during the upcoming academic year. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-60-1201. Title.

This subchapter shall be known and may be cited as the "Transparency in Foreign Investment Act".

History. Acts 2021, No. 1020, § 1.

6-60-1202. Definitions.

As used in this subchapter:

(1) "Confucius Institute" means a Confucius Institute operated by the Office of Chinese Language Council International, also known as the "Haban", which is affiliated with the Ministry of Education of the People's Republic of China;

(2) "Contract" means an agreement for the acquisition by purchase, lease, or barter of property or services between a foreign source and an institution for the direct benefit of or use by either of the parties;

(3) "Foreign source" means:

(A) A foreign government, including without limitation an agency of a foreign government;

(B) A legal entity, government or otherwise, created solely under the laws of a foreign state or states;

(C) An individual who is not a citizen or a national of the United States or a trust territory or a protectorate of a trust territory; or

(D) An agent, including without limitation a subsidiary or affiliate of a foreign legal entity, acting on behalf of a foreign source, as described by subdivisions (3)(A)-(C) of this section;

(4) “Gift” means a gift of money or property; and

(5) “Institution” means a state-supported:

(A) Two-year institution of higher education; or

(B) Four-year institution of higher education.

History. Acts 2021, No. 1020, § 1.

6-60-1203. Confucius Institutes — Certain affiliated entities — Prohibited.

An institution shall not host:

(1) A Confucius Institute; or

(2) Any entity with an affiliation with:

(A) The People’s Republic of China;

(B) The Chinese Communist Party; or

(C) China’s People’s Liberation Army.

History. Acts 2021, No. 1020, § 1.

6-60-1204. Foreign gifts and contracts — Acceptance and disclosure.

(a) An institution shall not accept a gift from a foreign source or enter into a contract with a foreign source if the institution believes that doing so would threaten:

(1) The integrity of the institution’s research, instruction, or operations;

(2) The institution’s intellectual property rights;

(3) The protection of confidential information; or

(4) The safety and security of:

(A) The institution;

(B) The institution’s personnel and students;

(C) This state; or

(D) The United States.

(b) If an institution receives a gift from a foreign source valued at more than two hundred fifty thousand dollars (\$250,000), the institution shall disclose the following information without limitation with respect to the gift:

(1) The dollar value of the gift;

(2) The name and national affiliation of the foreign source funding the gift;

(3) The department, college, school, or other business unit of the institution to which the gift was made;

(4) The date the gift was received; and

(5) A brief description of the gift.

(c) If an institution enters into a contract with a foreign source valued at more than two hundred fifty thousand dollars (\$250,000), the institution shall disclose the following information without limitation with respect to the contract:

(1) The dollar value of the contract;

(2) The name and national affiliation of the foreign source entering into the contract with the institution;

(3) The department, college, school, or other business unit of the institution that benefits from the contract;

(4) The effective date and termination date of the contract; and

(5) A brief description of the terms of the contract.

(d) If an institution receives multiple gifts from foreign sources affiliated with the same foreign government and each of the gifts is valued at two hundred fifty thousand dollars (\$250,000) or less but the aggregate value of the gifts is more than two hundred fifty thousand dollars (\$250,000), the institution shall disclose each of the gifts as required under subsection (b) of this section.

(e) If an institution enters into multiple contracts with foreign sources affiliated with the same foreign government and each of the contracts is valued at two hundred fifty thousand dollars (\$250,000) or less but the aggregate value of the contracts is more than two hundred fifty thousand dollars (\$250,000), the institution shall disclose each of the contracts as required under subsection (c) of this section.

History. Acts 2021, No. 1020, § 1.

6-60-1205. Gifts and contracts — Annual disclosure report.

(a) By July 31, 2021, and by July 31 of each year thereafter, each institution shall prepare a gifts and contracts disclosure report that includes the information required under § 6-60-1204 regarding gifts from foreign sources and contracts entered into with foreign sources.

(b) The annual gifts and contracts disclosure report required under subsection (a) of this section shall:

(1) Be submitted to the:

(A) Secretary of the Department of Finance and Administration; and

(B) Department of Public Safety; and

(2) Disclose the gifts received from foreign sources and contracts entered into with foreign sources during the fiscal year ending on June 30 immediately preceding the reporting deadline under subsection (a) of this section.

(c) If an institution does not have a gift or contract subject to the disclosure reporting requirement under subsection (a) of this section, the institution shall submit a gifts and contracts disclosure report stating that the institution does not have a gift from a foreign source or a contract entered into with a foreign source subject to disclosure.

(d) The secretary shall make the gifts and contracts disclosure reports required under this section publicly available on the website of the Department of Finance and Administration.

History. Acts 2021, No. 1020, § 1.

**SUBCHAPTER 13 — INFORMATION REGARDING THE COST OF COLLEGE AND
JOB OPPORTUNITIES**

SECTION.

- 6-60-1301. Definition.
- 6-60-1302. Information collected by Division of Higher Education.
- 6-60-1303. Information published to public by Division of Higher Education.

SECTION.

- 6-60-1304. Information published and distributed to middle and high school students by Department of Education.
- 6-60-1305. Effective date.

A.C.R.C. Notes. Acts 2021, No. 1066, § 1, provided: “Legislative findings. The General Assembly finds that:
“(1) A fundamental goal of Arkansas’s secondary and higher education system is not only to educate and enrich young people, but also to help young people establish a solid foundation for good-paying work;
“(2) The cost of college continues to increase for young individuals across the country, and student debt has become the second-largest financial debt vehicle in the United States;
“(3) The General Assembly is proud of its institutions of higher education and believes they can compete with any in the

nation, but their cost to enrollees must be as transparent as possible;
“(4) Middle and high school students deserve as much access as possible to information regarding the costs of college and future job opportunities in the state;
“(5) Arkansas employers need workers with varied skills and education levels, and future Arkansas workers should have a clear idea of what steps are required to pursue the career of their choice; and
“(6) The constantly changing nature of educational opportunities and the job market requires up-to-date information for anyone seeking a job or an education in Arkansas to properly navigate the marketplace.”

6-60-1301. Definition.

As used in this subchapter, “college” means a state-supported two-year or four-year institution of higher education.

History. Acts 2021, No. 1066, § 2.

6-60-1302. Information collected by Division of Higher Education.

- (a) The Division of Higher Education shall collect and compile the following information without limitation on an annual basis:
 - (1) The most in-demand jobs in the state, including without limitation the approximate starting salaries and education levels required for those jobs;
 - (2) The approximate average cost for all colleges in the state;

(3) The average monthly federal student loan payment for individuals who attend or who have graduated from all colleges in the state;

(4) The average three-year federal student loan default rate for all colleges in the state;

(5) The average total federal student loan debt for graduates of in-state colleges for four-year degrees and graduate programs;

(6) The average graduation rate for all colleges in the state;

(7) The completion rates for:

(A) Apprenticeship programs;

(B) High school credential programs; and

(C) Career and technical education programs;

(8) The share of college graduates working in an occupation that does not require a college degree for each major;

(9) The approximate average starting salary for individuals graduating from a college;

(10) The approximate average starting salary for individuals who have completed:

(A) An apprenticeship program;

(B) A high school credential program; or

(C) A career and technical education program; and

(11) The approximate average starting salary for individuals graduating from a two-year college in the state.

(b) The Division of Higher Education shall work with the following entities without limitation to collect and compile the information required under subsection (a) of this section:

(1) The Arkansas State Chamber of Commerce;

(2) The Division of Career and Technical Education;

(3) The Division of Elementary and Secondary Education;

(4) The Division of Information Systems; and

(5) The Department of Commerce.

(c)(1) The information collected and compiled under subsection (a) of this section shall utilize current state reports compiled into a single, easily understandable digest.

(2) The state reports to be utilized shall include without limitation the:

(A) Higher Education Consumer Guide;

(B) Arkansas Economic Security Report;

(C) Ready for Life initiative report and Arkansas Statewide Longitudinal Data System;

(D) College Scorecard; and

(E) Integrated Postsecondary Education Data System Data Feedback reports of the National Center for Education Statistics.

History. Acts 2021, No. 1066, § 2.

6-60-1303. Information published to public by Division of Higher Education.

(a) The Division of Higher Education shall partner with the Ready for Life initiative to include information required under § 6-60-1302 in the Ready for Life searchable database, which shall include without limitation:

- (1) Approximate average annual cost;
- (2) Average graduation rate;
- (3) Average salary after attending;
- (4) Highest paying salaries for top five (5) majors;
- (5) Full-time enrollment head count;
- (6) Race and ethnicity information of enrollees in each program;
- (7) Percentage of students in student loan default;
- (8) Typical total federal student loan debt after graduation;
- (9) Percentage of students receiving federal student loans;
- (10) Typical monthly federal student loan payment;
- (11) The average one-year retention rate of students majoring in the top five (5) majors; and
- (12) Average success rates, which measure the percentage of students who have graduated, transferred, or are still enrolled in colleges in this state.

(b)(1) The database established under subsection (a) of this section shall provide individuals with the ability to select a specific major or program at a specific college.

(2) Upon selecting a specific major or program at a specific college while using the database, the following overview shall be provided, to be filled in with information required under subsection (a) of this section as it applies to the specific major or program at the specific college that the individual selected:

“For every 100 students starting in {insert major} in this state, {insert number} will graduate in 6 years; of those, {insert number} will get a job with an average starting salary of {insert salary} within 6 months of graduation. The average debt for the graduates will be {insert debt}. The total cost on average for this degree is {insert total amount paid}. Of the {insert number} who don’t graduate, they will accumulate an average debt of {insert debt}.”

History. Acts 2021, No. 1066, § 2.

6-60-1304. Information published and distributed to middle and high school students by Department of Education.

The Department of Education shall publish and distribute to middle and high school students in the State of Arkansas on an annual basis a comparison, using the information collected under § 6-60-1302, that contains the following information without limitation:

- (1) The top fifty (50) majors for four-year degrees by salaries after graduating;

(2) The top twenty (20) career and technical education and certificate programs by salaries after graduating or receiving a certificate of completion; and

(3) The top twenty-five (25) most in-demand jobs in the state and their corresponding starting salaries and education requirements.

History. Acts 2021, No. 1066, § 2.

6-60-1305. Effective date.

The requirements of this subchapter shall be effective no later than July 1, 2022.

History. Acts 2021, No. 1066, § 2.

CHAPTER 61

POSTSECONDARY INSTITUTIONS GENERALLY

SUBCHAPTER.

1. GENERAL PROVISIONS.
2. ARKANSAS HIGHER EDUCATION COORDINATING BOARD.
3. ESTABLISHMENT AND EXPANSION.
4. GRANT PROGRAMS.
5. COMMUNITY COLLEGES GENERALLY.
6. COMMUNITY COLLEGES — FINANCES.
7. RICH MOUNTAIN COMMUNITY COLLEGE.
8. ARKANSAS RESEARCH DEVELOPMENT ACT.
9. OFFICE OF ACCOUNTABILITY.
10. TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENT ACT OF 1993.
11. UNIVERSITY OF ARKANSAS AT FORT SMITH.
12. SOUTHWEST ARKANSAS HIGHER EDUCATION CONSORTIUM. [REPEALED.]
13. PRODUCTIVITY ENHANCEMENT FOR UNDERGRADUATE HIGHER EDUCATION ACT. [REPEALED.]
14. COMMON COURSE NUMBERING SYSTEM.
15. ELECTRICAL ENERGY ADVANCEMENT PROGRAM.
16. ARKANSAS ENERGY SUMMARY AND REPORT.
17. HIGHER EDUCATION CONSUMER GUIDE ACT.

RESEARCH REFERENCES

ALR. Liability of university, college, or other school for failure to protect student from crime. 1 A.L.R.4th 1099.

Tort liability of public schools and institutions of higher learning for educational malpractice. 1 A.L.R.4th 1139.

Mental or physical illness as basis of dismissal of student from school, college,

or university. 17 A.L.R.4th 519.

Privileged nature of statements or utterances by members of governing body of public institution of higher learning in course of official proceedings. 33 A.L.R.4th 632.

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

6-61-101. Definition.

6-61-102. Applicability of this section,

§ 6-61-101, § 6-61-103, §§

6-61-201 — 6-61-209, §

6-61-211 [repealed], §§

6-61-212 — 6-61-216, §§

6-61-301 — 6-61-305, §

6-61-306 [repealed], §

6-61-401, § 6-61-402, §§

6-61-501 — 6-61-524, §§

6-61-601 — 6-61-603, and

§§ 6-61-604 — 6-61-612
[repealed].

6-61-103. Powers and duties of existing governing boards unaffected by this section, § 6-

61-101, § 6-61-102, §§

6-61-201 — 6-61-209, §

6-61-211 [repealed], §§

6-61-212 — 6-61-216, §§

6-61-301 — 6-61-305, §

6-61-306 [repealed], §

6-61-401, § 6-61-402, §§

6-61-501 — 6-61-524, §§

6-61-601 — 6-61-603, and

§§ 6-61-604 — 6-61-612
[repealed].

6-61-104. Program transfers.

6-61-105. Course in American history or civil government required.

6-61-106. [Repealed.]

6-61-107. Courses in conservation of natural resources — Teachers required to take course.

6-61-108. Eye protection required — Definition.

6-61-109. [Repealed.]

6-61-110. Testing of entering freshmen for remedial courses.

6-61-111. [Repealed.]

6-61-112. Student or student's spouse called into military service.

6-61-113. References to race.

6-61-114. [Repealed.]

6-61-115 — 6-61-120. [Repealed.]

6-61-121. Higher education minority retention programs — Definition.

SECTION.

6-61-122. Higher education minority retention programs — Establishment — Reports.

6-61-123. Meningococcal disease warning.

6-61-124. Reporting minority students who complete an education program — Definitions.

6-61-125. American Sign Language as foreign language.

6-61-126. Electronic communication — Privacy policy.

6-61-127. [Repealed.]

6-61-128. Restrictions on use of Social Security numbers.

6-61-129. Establishment of centers of excellence — Definition.

6-61-130. Institutional advice for university coursework and degree completion.

6-61-131. Student accounts receivable policies at state-supported institutions of higher education.

6-61-132. Academic advising on transferability of coursework.

6-61-133. Professional development for mandated reporters and licensed elementary and secondary public school personnel — Definitions.

6-61-134. Associate of applied science degree — Mathematics requirement.

6-61-135. False academic credential — Definition.

6-61-136. Establishment of an accrediting agency.

6-61-137. Presentation of expenditure data by state-supported institutions of higher education — Definition.

6-61-138. Posthumous degrees.

6-61-139. Emergency or security records or information — Disclosure exempted.

6-61-140. Panic button alert systems.

6-61-141. Duplication of services.

Preambles. Acts 1939, No. 312 contained a preamble which read: "Whereas, Natural Resources are the foundation of

all social and industrial prosperity, the very existence of our youth being dependent upon them; and

"Whereas, the conservation of our natural resources is so intimately connected with the welfare of our people and should, therefore, be considered as proper subject matter of fundamental education"

Effective Dates. Acts 1939, No. 312, § 8: Mar. 15, 1939.

Acts 1965, No. 48, § 4: effective at beginning of 1965-66 school year.

Acts 1977, No. 560, § 30: Mar. 21, 1977. Emergency clause provided: "It has been found and is hereby determined by the General Assembly that comprehensive planning for post-secondary education in Arkansas must be given greater emphasis. Further delay would possibly affect the educational opportunities available to citizens of the State and the quality of these opportunities. Therefore, an emergency is declared to exist, and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after passage and approval."

Acts 1979, No. 820, § 4: Apr. 10, 1979. Emergency clause provided: "It has been found by the General Assembly that coordination of acquisitions of data processing equipment or services by public colleges or universities is important to the effective expenditure of public funds. Therefore, an emergency is declared to exist, and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval."

Acts 1991, No. 1101, § 45: July 1, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1991 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1991 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1991."

Acts 1992 (1st Ex. Sess.), No. 25, § 7: Mar. 5, 1992. Emergency clause provided: "It is hereby found and determined by the General Assembly that some of the language in the law establishing the University of Central Arkansas is obsolete and should be eliminated as soon as possible. Since this act will eliminate the obsolete language, an emergency is hereby declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 2005, No. 85, § 2: Feb. 8, 2005. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that since September 11, 2001, members of the National Guard and Reserves are being called into active duty more frequently for homeland security duties, for duties related to the fight against terrorism, and for peace-keeping efforts in Iraq; that one of the main recruiting tools used to attract young men and women into military service in the National Guard and Reserves is the offer of financial aid for college tuition and expenses; that students who are members of the National Guard or Reserves are often activated or deployed, which interrupts their educational pursuits and causes them monetary losses; that this act is immediately necessary to prevent the soldiers who serve our country from incurring monetary losses because of their service. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2013, No. 969, § 12: Apr. 8, 2013. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that it is the state's constitutional obligation to provide a general, suitable, and efficient free system of public schools in the state; that the professional development of public school teachers and administrators is critical to the delivery of a constitutionally adequate

education; and that this act is immediately necessary for school districts and educators to prepare for the professional development requirements needed for the 2013-2014 school year. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2015 (1st Ex. Sess.), Nos. 7 and 8, § 153: July 1, 2015. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Building Authority, the Arkansas Science and Technology Authority, the Department of Rural Services, and the Division of Land Surveys of the Arkansas Agriculture Department are inefficiently structured; that this inefficient structuring causes an excessive and unnecessary cost to the taxpayers of the this state; and that this act is essential to alleviating that financial burden. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2015."

Acts 2019, No. 873, § 45: July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Ar-

kansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2019 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2019 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2019."

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-61-101. Definition.

As used in this section, § 6-61-102, § 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed], unless the context otherwise requires, "data processing" shall mean an automated process for data collection and the conversion of data into usable form or storage, including the planning, development, and implementation thereof, through the use of electronic or analogue data processing equipment, including computer systems, components of computer systems, and other necessary support equipment used in the automated process. This definition may be altered to

include or exclude equipment or services in response to changes in data processing technology with the approval of the Arkansas Communications Study Committee as established by § 10-3-1201 et seq. [repealed].

History. Acts 1977, No. 560, § 4; 1979, No. 820, § 1; A.S.A. 1947, § 80-4904.

6-61-102. Applicability of this section, § 6-61-101, § 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed].

SAU-Tech and South Arkansas Community College shall be exempt from the provisions of this section, § 6-61-101, § 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed].

History. Acts 1977, No. 560, § 6; A.S.A. 1947, § 80-4906; Acts 1993, No. 447, § 1.

6-61-103. Powers and duties of existing governing boards unaffected by this section, § 6-61-101, § 6-61-102, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed].

Nothing in this section, § 6-61-101, § 6-61-102, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed] shall in any way affect the terms of office or tenure of the governing boards or any of the powers and duties vested in the boards in the internal management of the affairs of their respective institutions.

History. Acts 1977, No. 560, § 25; A.S.A. 1947, § 80-4925.

6-61-104. Program transfers.

In the event that a program is transferred from one state-supported university to another state-supported university and the transfer was not proposed to or acted upon by the Arkansas Higher Education Coordinating Board prior to the final consideration by the General Assembly of the receiving university's budget request for the next

biennium and such program has been recommended by the board under the provisions of § 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed], the receiving university may use the transferring university's maximum annual salary limits for similar faculty positions which were transferred.

History. Acts 1983, No. 147, § 12; 1985, No. 845, § 2; A.S.A. 1947, § 80-5612.

6-61-105. Course in American history or civil government required.

(a) A state-supported institution of higher education shall not grant to any student a baccalaureate degree unless he or she has passed a course in American history or civil government, including:

(1) Instruction in the essentials of the United States Constitution; and

(2) The study of American institutions and ideals.

(b) The Division of Higher Education shall see to the strict carrying out of this section and may take such steps and measures as may be necessary to effectuate its provisions.

History. Acts 1923, No. 614, §§ 4, 5; Pope's Dig., §§ 3602, 3603, 11732, 11733; A.S.A. 1947, §§ 80-1615, 80-1616; Acts 2003, No. 267, § 1; 2017, No. 870, § 1; 2019, No. 910, § 1951.

Amendments. The 2017 amendment, in the introductory language of (a), substituted "A state-supported institution of higher education shall not" for "No college or university, normal school, or chartered institution of learning under the authority of the State of Arkansas shall" and "a" for "any" preceding "baccalaureate degree",

and inserted "including"; added (a)(1) and (a)(2); deleted former (b) and (c); redesignated former (d) as present (b); and, in present (b), substituted "shall" for "is directed to" and "may" for "is authorized to" preceding "take such steps".

The 2019 amendment substituted "Division of Higher Education" for "Department of Higher Education" in (b).

Cross References. Applicability of § 6-61-105 to medical and pharmacy school students, § 6-64-415.

RESEARCH REFERENCES

U. Ark. Little Rock L. Rev. Survey of Legislation, 2003 Arkansas General Assembly, Education Law, High School

Graduation Requirements, 26 U. Ark. Little Rock L. Rev. 382.

6-61-106. [Repealed.]

Publisher's Notes. This section, concerning a course in the United States Constitution and American institutions and ideals being required, was repealed

by Acts 2017, No. 870, § 2. The section was derived from Acts 1923 (1st Ex. Sess.), No. 31, §§ 1, 2, 4; 2003, No. 267, § 2.

6-61-107. Courses in conservation of natural resources — Teachers required to take course.

All of the state institutions of higher education shall give instruction in nature study and the conservation of natural resources, including fish and game, soil fertility and erosion, forests and minerals, and all students in the institutions preparing to be teachers shall be required to take such courses of instruction.

History. Acts 1939, No. 312, § 1; A.S.A. 1947, § 80-1620.

6-61-108. Eye protection required — Definition.

(a) Every student and teacher in the colleges and universities of this state participating in any of the following courses is required to wear industrial-quality eye protective devices at all times while participating in the following courses or laboratories:

(1) Vocational or industrial arts shops or laboratories involving experience with:

(A) Hot molten metals;

(B) Milling, sawing, turning, shaping, cutting, grinding, or stamping of any solid materials;

(C) Heat treatment, tempering, or kiln firing of any metal or other materials;

(D) Gas or electric arc welding;

(E) Any of the processes listed in this section which may be used for repairing a vehicle; and

(F) Caustic or explosive materials; and

(2) Chemical or combined chemical-physical laboratories involving caustic or explosive chemicals or hot liquids or solids.

(b) The boards of trustees of the state-supported institutions of higher education in this state may in their discretion:

(1) Purchase eye protective devices and furnish them free to students and teachers;

(2) Purchase eye protective devices and sell or rent the devices to students and teachers; or

(3) Require students and teachers to furnish their own protective devices without cost to the school, college, or university.

(c) As used in this section, "industrial-quality eye protective devices" means devices meeting the standards of the American standard safety code for head, eye, and respiratory protection, Z2. 1-1959, promulgated by the American National Standards Institute.

History. Acts 1965, No. 48, §§ 1-3; §§ 1-3, are also codified as §§ 6-10-113 A.S.A. 1947, §§ 80-1634 — 80-1636. and 6-51-102.

Publisher's Notes. Acts 1965, No. 48,

6-61-109. [Repealed.]

Publisher's Notes. This section, concerning driver education and training programs, was repealed by Acts 2013, No. 1073, § 36. The section was derived from Acts 1967, No. 335, § 1; A.S.A. 1947, § 80-1637.

6-61-110. Testing of entering freshmen for remedial courses.

(a) A first-time entering freshman at a state-supported institution of higher education who is admitted to enroll in an associate or a bachelor's degree program shall be tested by the admitting institution for purposes of placement in either college-level credit courses in English and mathematics or remedial courses in English composition, reading, and mathematics.

(b) Remedial courses shall not provide credit toward a degree.

(c)(1) The Arkansas Higher Education Coordinating Board shall determine the:

(A) Test or other criteria to be used;

(B) Testing procedures and exemptions;

(C) Minimum scores or criteria below which students at all state-supported institutions of higher education must take remedial courses; and

(D) Minimum scores or criteria to allow simultaneous enrollment in college-level credit and remedial courses.

(2) The board shall base these decisions on:

(A) Consultation with representatives of the state-supported institutions of higher education;

(B) Analysis of the placement procedures presently used by institutions in the state;

(C) Statewide placement testing programs in other states; and

(D) Pilot projects involving testing of entering freshmen at selected institutions in the state.

(3) The board, in collaboration with state-supported institutions of higher education, shall develop by institution uniform measurable exit standards for remedial courses that are comparable to the ACT or SAT equivalent required for college-level enrollment in credit courses to be implemented no later than the fall semester of 2010.

(d)(1) The board shall work with state-supported institutions of higher education to:

(A) Develop innovative alternatives to traditional instruction and delivery methods for remedial courses; and

(B) Provide professional development opportunities to help remedial education faculty gain knowledge in best practices and trends in the instruction and delivery of remedial education.

(2) The board shall report to the House Committee on Education and the Senate Committee on Education by February 1, 2010, on the progress made in addressing the requirements in subdivision (d)(1) of this section.

History. Acts 1991, No. 1101, § 23; 1999, No. 508, § 3; 2009, No. 971, § 1; 2011, No. 899, § 1.

A.C.R.C. Notes. Former § 6-61-110, concerning the testing of entering freshmen for remedial courses, is deemed to be superseded by this section. The former

section was derived from Acts 1989 (1st Ex. Sess.), No. 160, § 21. A similar provision which was also codified as § 6-61-110, and was previously superseded, was derived from Acts 1987, No. 1052, §§ 19, 20.

6-61-111. [Repealed.]

Publisher's Notes. This section, concerning student assessment programs, was repealed by Acts 2021, No. 79, § 1,

effective July 28, 2021. The section was derived from Acts 1989, No. 98, § 3.

6-61-112. Student or student's spouse called into military service.

(a) A student who ceases attendance at a state-supported postsecondary educational institution without completing and receiving a grade in one (1) or more courses shall receive compensation for the resulting monetary loss as provided under this section if the student ceases attendance because:

(1) The student is activated or deployed by the military; or

(2) The student's spouse is activated or deployed by the military and the student or the student's spouse has dependent children residing in the household.

(b)(1) To be eligible for the compensation described under this section, the student must provide, prior to activation or deployment, an original or official copy of the military activation or deployment orders to the registrar or other designated school official of the state-supported postsecondary educational institution at which the student is enrolled at the time of military activation or deployment.

(2) To be eligible for the compensation described under this section, a student whose spouse is a service member shall provide proof of registration with the Defense Enrollment Eligibility Reporting System of the United States Department of Defense that establishes that dependent children reside in the household of the student and service member.

(c)(1) The student shall choose from one (1) of the following three (3) compensatory options regarding tuition:

(A) A complete refund of tuition and general fees that are assessed against all students at the institution;

(B) At least one (1) year to complete the course work after the student's or student's spouse's deactivation; or

(C)(i) Free tuition for one (1) semester at the institution where the student's attendance was interrupted unless federal aid is made available to compensate the student for the resulting monetary loss related to the student's or student's spouse's activation or deployment.

(ii) Federal aid shall not include Pell Grants, other federal grants, or other monetary benefits paid to the student directly or at the student's direction.

(iii) If a student or student's spouse is activated or deployed during a semester, the student shall not receive more than one (1) semester of free tuition under this subdivision (c)(1)(C).

(2) This subsection shall not allow a student to recover any amount in excess of the student's actual monetary loss.

(d)(1) The student shall receive a proportionate refund of room, board, and other fees that were paid to the institution based on the date of the student's notice of withdrawal from the institution.

(2) If an institution contracts for room, board, or other services from a third party, then the third-party contractor shall provide a refund to the institution for the services or fees in an amount equal to the student's monetary loss under subdivision (d)(1) of this section.

(e) The student shall receive the maximum price, based on condition, for the textbooks related to the uncompleted courses if the institution has a policy of repurchasing textbooks.

(f)(1) A student's eligibility for a state-supported scholarship, grant, or loan for attendance at a postsecondary educational institution shall not be affected by the student's failure to complete any coursework because of the student's or student's spouse's military activation or deployment.

(2) The Division of Higher Education shall adopt the necessary rules to ensure that state-supported scholarship, grant, and loan programs comply with the provisions of this section.

(g)(1) For each fiscal year, each state-supported institution of higher education in the state shall report the type and amount of compensatory options provided under this section to the division.

(2) The division shall report to the House Committee on Aging, Children and Youth, Legislative and Military Affairs and the Senate Interim Committee on Children and Youth regarding the type and amount of compensatory options provided under this section by each state-supported institution of higher education no later than October 1 of each year beginning in 2006 and each year thereafter.

History. Acts 1991, No. 310, §§ 1-3; 2005, No. 85, § 1; 2007, No. 16, § 1; 2019, No. 910, §§ 1952, 1953.

Amendments. The 2019 amendment

substituted "Division of Higher Education" for "Department of Higher Education" in (f)(2); and substituted "division" for "department" in (g)(1) and (g)(2).

6-61-113. References to race.

All public institutions of higher education in this state shall remove all unconstitutional or illegal references to race from the charters, bylaws, or rules of the institutions.

History. Acts 1992 (1st Ex. Sess.), No. 25, § 3.

6-61-114. [Repealed.]

Publisher's Notes. This section, concerning standardized rising junior test and annual report, was repealed by Acts

2007, No. 274, § 1. The section was derived from Acts 1993, No. 874, §§ 1, 2; 1999, No. 478, § 3; 2001, No. 1085, § 1.

6-61-115 — 6-61-120. [Repealed.]

Publisher's Notes. These sections, concerning the Arkansas Institution for Advocacy for the Blind, Arkansas Board for the Institution for Advocacy for the Blind creation and powers, Arkansas Institution for Advocacy for the Deaf, and Arkansas Board for the Institution for Advocacy for the Deaf creation and powers, were repealed by Acts 2009, No. 1484,

§ 2. The sections were derived from the following sources:

- 6-61-115. Acts 1999, No. 853, § 1.
- 6-61-116. Acts 1999, No. 853, § 2.
- 6-61-117. Acts 1999, No. 853, § 3.
- 6-61-118. Acts 1999, No. 928, § 1.
- 6-61-119. Acts 1999, No. 928, § 2.
- 6-61-120. Acts 1999, No. 928, § 3.

6-61-121. Higher education minority retention programs — Definition.

For purposes of this section and § 6-61-122, the term “minority” refers to African-Americans, Hispanic Americans, Asian Americans, and Native Americans.

History. Acts 1999, No. 1091, § 1.

6-61-122. Higher education minority retention programs — Establishment — Reports.

(a) All state-supported colleges and universities shall establish a program for the retention of blacks and other members of minority groups as students, faculty, and staff. Retention action plans shall be prepared on a continuing basis for future five-year periods.

(b) Each state-supported college and university shall annually prepare a progress report on the steps that have been taken to reach the goals of the plan. The report shall include information relative to students, faculty, and staff within the institution.

(c) Copies of each institution's five-year plan and annual report shall be filed by June 30 with the Division of Higher Education, the board of trustees of the institution, the House Committee on Education and the Senate Committee on Education, and the board of visitors of the institution, if applicable.

(d) The division shall develop appropriate forms for reporting and shall monitor the retention plans and annual reports.

(e) In carrying out the retention action plans, each institution shall provide for a part-time or full-time employee by reassignment, appointment, or employment to assist the institution in the retention of blacks and members of other minority groups for faculty and staff positions.

History. Acts 1999, No. 1091, § 2.

6-61-123. Meningococcal disease warning.

Each college or university shall advise students and their parents or guardians of the increased risk of meningococcal disease in students who live in close quarters, such as college or university dormitories. The college or university shall also advise students and their parents or guardians that a vaccination is available against the potentially fatal meningococcal disease.

History. Acts 1999, No. 1233, § 1.

6-61-124. Reporting minority students who complete an education program — Definitions.

(a) For the purposes of this section:

(1) “Endorsed areas” include, but are not limited to, library media specialists, gifted and talented specialists, and curriculum specialists; and

(2) “Minority” means African-Americans, Hispanic Americans, Asian Americans, and Native Americans.

(b)(1) All state-supported colleges and universities in Arkansas shall report to the Division of Elementary and Secondary Education as soon as possible after each semester a list of each minority student who:

(A) Has completed college or university requirements to receive a recommendation for licensure as a public school teacher, administrator, counselor, and other endorsed areas; and

(B) Has signed a consent form authorizing the college or university to report such information to the division.

(2) The list required in subdivision (b)(1) of this section shall indicate the name, address, and major of the student graduating with an education degree.

(c)(1) The division shall maintain a database based upon the reports provided by each college and university under subsection (b) of this section.

(2) The database shall also include the name, address, and major of any minority Arkansas resident with an education degree who requests such information to be added to the database.

(3)(A) The database shall be made accessible upon request to every public school superintendent in this state or other official designated by the superintendent for the purpose of recruiting faculty and staff.

(B) The database provided for in this section shall not be made available to any school or person located outside this state.

History. Acts 1999, No. 905, §§ 1-3; 2019, No. 910, §§ 1954-1956.

Amendments. The 2019 amendment substituted “Division of Elementary and

Secondary Education” for “Department of Education” in the introductory language of (b)(1); and substituted “division” for “department” in (b)(1)(B) and (c)(1).

6-61-125. American Sign Language as foreign language.

The American Sign Language may qualify as a foreign language for the purpose of meeting general elective credit requirements for graduation from state-supported colleges and universities in Arkansas if the language is taught by a qualified instructor of American Sign Language and if the course is conducted under the supervision of an instructor at the college or university as approved by that college or university.

History. Acts 1999, No. 1269, § 1.

6-61-126. Electronic communication — Privacy policy.

(a) Each public postsecondary institution in Arkansas shall adopt a privacy policy governing electronic communications transmitted over the institution's computer network system that are originated or received by a faculty member, staff member, or a student.

(b) No later than January 1, 2004, the computer policy shall be included in each institution's student handbook and shall be available on each institution's website.

(c) The privacy policy shall include provisions identifying:

(1) The types of electronic communications that are not confidential;

(2) Methods to be used by the institution to protect the confidentiality of personally identifiable electronic communications that are originated or received by a faculty member, staff member, or a student;

(3) Procedures for releasing any confidential personally identifiable electronic communication that is originated or received by a faculty member, staff member, or a student; and

(4) Any other information necessary for the institution's faculty, staff, and students to understand their rights and obligations under the policy.

(d) For purposes of this section, "electronic communication" includes any electronic mail message transmitted through the international network of interconnected government, educational, and commercial computer networks and includes messages transmitted from or to any address affiliated with an internet site.

History. Acts 2003, No. 1799, § 1.

6-61-127. [Repealed.]

Publisher's Notes. This section, concerning the Arkansas Higher Education Performance Reporting System, was repealed by Acts 2021, No. 79, § 2, effective

July 28, 2021. The section was derived from Acts 2003, No. 1463, § 12; 2015, No. 865, § 11; 2019, No. 910, §§ 1957, 1958.

6-61-128. Restrictions on use of Social Security numbers.

No public or private institution of higher education shall:

(1) Print a student's or employee's Social Security number or any part of the number on the student's or employee's identification card; or

(2) Make a student's or employee's Social Security number available by reading the magnetic strip or other encoded information on the student's or employee's identification card.

History. Acts 2003, No. 108, § 1.

6-61-129. Establishment of centers of excellence — Definition.

(a) For purposes of this section, "center of excellence" means a consortium of two (2) or more institutions of higher education working in collaboration with regional economic developers.

(b) The purpose of the centers of excellence shall be to address the workforce education and training needs for existing, expanding, or attracting new business and industry in each of the economic development regions of the state.

(c)(1) In order to improve the state's ability to compete in the knowledge-based economy, the Arkansas Higher Education Coordinating Board may create acknowledged centers of excellence.

(2)(A) Institutions of higher education may submit proposals to the Division of Higher Education to become centers of excellence.

(B) In each proposal for creation of a center of excellence, institutions shall identify the center's:

(i) Technical alignment or academic alignment, or both, to existing or future businesses and industries in the state; and

(ii) Collaboration plan to serve a particular occupation.

(d)(1) Two (2) representatives of the division as designated by the Director of the Division of Higher Education, and one (1) representative of the Arkansas Economic Development Commission shall meet as needed to review applications jointly.

(2) The division and the commission shall jointly make a recommendation to the board regarding which institutions shall be acknowledged as centers of excellence in a particular program or field of study based on factors, including, but not limited to:

(A) Number, type, and demand for related jobs;

(B) Quality of related instructional or research programs, or both;

(C) Availability of faculty;

(D) Student accessibility;

(E) Feasibility of expected program cost; and

(F) Research capability.

(e) Final approval of centers of excellence shall be made by the board.

(f) The designation of centers of excellence shall be fully reviewed at least one (1) time every five (5) years.

History. Acts 2005, No. 265, § 1; 2015 (1st Ex. Sess.), No. 7, § 72; 2015 (1st Ex. Sess.), No. 8, § 72; 2019, No. 910, §§ 1959-1961.

Sess.), Nos. 7 and 8, § 62, provided: "Transfer of the Arkansas Science and Technology Authority.

"(a)(1) The Arkansas Science and Technology Authority is transferred to the Ar-

A.C.R.C. Notes. Acts 2015 (1st Ex.

kansas Economic Development Commission by a type 2 transfer under § 25-2-105.

“(2) For the purposes of this act, the commission is the principal department under Acts 1971, No. 38.

“(b) The statutory authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, and other funds, including the functions of budgeting or purchasing, of the authority are transferred to the commission, except as specified in this act.

“(c) The prescribed powers, duties, and functions, including rulemaking, regulation, and licensing; promulgation of rules,

rates, regulations, and standards; and the rendering of findings, orders, and adjudication of the authority are transferred to the executive director of the commission, except as specified in this act.

“(d) The members of the Board of Directors of the Arkansas Science and Technology Authority, and their successors, shall continue to be selected in the manner and serve for the terms provided by the statutes applicable to the board except as specified in this act.”

Amendments. The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Education” in (c)(2)(A), twice in (d)(1), and in (d)(2).

6-61-130. Institutional advice for university coursework and degree completion.

(a) The purpose of this section is to ensure that faculty advisors at universities provide students with course selection advice that will enable a full-time student to obtain most bachelor’s degrees within eight (8) semesters.

(b) Any person assigned by a university to provide course selection advice to incoming freshman students shall provide any student who has declared a major with a written, eight-semester course of study signed by either the institution’s chief operating officer, president, or dean that provides a recommended sequence for all course requirements for completion of most bachelor’s degrees within eight (8) semesters.

(c)(1)(A) Any student who chooses a bachelor’s degree designed to be completed within eight (8) semesters may commit to completion of the degree requirements within eight (8) semesters by signing and returning a copy of the written, eight-semester course of study to the university’s advising center or the student’s assigned academic advisor.

(B) If a student does not choose to commit to completion of the degree requirements within eight (8) semesters, the institution shall obtain a signed, written waiver from the student that clearly outlines the student’s rights under this section and verifies that the student chooses not to enter into the commitment. If no waiver is obtained, the institution will be deemed to have guaranteed a bachelor’s degree as provided by this section.

(2) A student shall be guaranteed a bachelor’s degree at the end of the eight (8) semesters if the student:

(A) Commits to completion of his or her bachelor’s degree requirements within eight (8) semesters as set forth under subdivision (c)(1) of this section;

(B) Makes satisfactory academic progress;

(C) Fulfills all of the course requirements set forth in the signed, written, eight-semester course of study in the recommended sequence; and

(D) Does not change his or her declared major.

(d)(1) Each university shall publish a recommended course sequence and recommended schedule by semester for each degree offered by the university.

(2) The recommended course sequence schedule shall be included in the university's course catalog and departmental publications and on the university's website.

(3) Each university shall offer and make available courses in a time, sequence, and manner that will enable students to complete requirements for a degree within the time frame set out in the recommended course sequence schedule.

(e) Only universities that implement procedures in compliance with this section shall be approved by the Arkansas Higher Education Coordinating Board to receive funding from the Arkansas Academic Challenge Scholarship Program or the Arkansas Governor's Scholars Program.

History. Acts 2005, No. 1014, § 1.

6-61-131. Student accounts receivable policies at state-supported institutions of higher education.

(a) A state-supported institution of higher education shall:

(1) Develop and adopt policies concerning:

(A)(i) Student accounts receivable.

(ii) A student accounts receivable aging report shall be provided annually to the governing board of the state-supported institution of higher education;

(B) The collection of delinquent accounts; and

(C) The prevention of students with long-standing delinquent account balances from registering for courses or completing courses; and

(2)(A) Review its policies and practices to ensure its compliance with census reporting guidelines promulgated by the Division of Higher Education.

(B) A review under this subdivision (a)(2) shall occur at the beginning of each fall semester.

(b) A policy developed under subdivision (a)(1) of this section shall be published in the student handbook of the state-supported institution of higher education and on the website of the state-supported institution of higher education.

(c) The Arkansas Higher Education Coordinating Board shall develop rules to implement this section.

History. Acts 2007, No. 50, § 1; 2019, No. 910, §§ 1962, 1963; 2021, No. 69, § 2.

Amendments. The 2019 amendment substituted "Division of Higher Educa-

tion” for “Department of Higher Education” in (b)(2)(A); and substituted “division” for “department” in (c)(3).

The 2021 amendment deleted former (a) and redesignated former (b) and (c) as (a) and (b); substituted “state-supported” for

“two-year” in the section heading and the introductory language of (a); added (a)(1)(A)(ii) and redesignated former (a)(1)(A) as (a)(1)(A)(i); rewrote (b); added (c); and updated internal references.

6-61-132. Academic advising on transferability of coursework.

(a) The General Assembly finds that:

(1) Academic advising is an important service provided to students;

(2) The Arkansas Course Transfer System is an important tool for the advising process that is to be used by professors and advising staff to improve graduation rates; and

(3) Freshmen should be advised of the importance of academic advising, the availability of the Arkansas Course Transfer System, and how to use the Arkansas Course Transfer System.

(b) Each public institution of higher education shall inform each student at registration as to how the Arkansas Course Transfer System can be used to assist the student to understand which course will transfer to another public institution of higher education.

(c) The information provided to the student under this section shall help the student use the Arkansas Course Transfer System to determine which public institutions of higher education accept various courses for transfer.

History. Acts 2007, No. 472, § 1.

6-61-133. Professional development for mandated reporters and licensed elementary and secondary public school personnel — Definitions.

(a) As used in this section:

(1) “Child maltreatment” means the abuse, sexual abuse, neglect, sexual exploitation, or abandonment of a child under the Child Maltreatment Act, § 12-18-101 et seq.; and

(2) “Licensed school personnel” means a person who works with students in an elementary or secondary public school, a public charter school, a school district, or an education service cooperative for whom a license issued by the State Board of Education is a condition of employment, including without limitation a:

(A) School or school district administrator;

(B) Teacher;

(C) Coach for a school athletics program;

(D) School counselor;

(E) School social worker;

(F) School psychologist; and

(G) School nurse.

(b) For each degree program at an institution of higher education in this state that is a prerequisite for licensure or certification in a profession in which the professional is a child maltreatment mandated

reporter under the Child Maltreatment Act, § 12-18-101 et seq., the Division of Higher Education shall coordinate with all the institutions of higher education to ensure that before receiving a degree, each graduate receives the professional development identified in subdivision (d)(1) of this section.

(c) Licensed school personnel shall obtain the professional development identified in subsection (d) of this section:

(1) Not more than one (1) year before the individual's initial licensure; and

(2) According to the professional development schedule under § 6-17-709.

(d)(1) The professional development required under this section shall include without limitation:

(A) Recognizing the signs and symptoms of child maltreatment;

(B) The legal requirements of the Child Maltreatment Act, § 12-18-101 et seq., and the duties of mandated reporters under the Child Maltreatment Act, § 12-18-101 et seq.; and

(C) Methods for managing disclosures regarding child victims.

(2) In addition to the professional development required under subdivision (d)(1) of this section, licensed school personnel shall obtain professional development in connecting a victim of child maltreatment to appropriate in-school services and other agencies, programs, and services needed to provide the child with the emotional and educational support the child needs to continue to be successful in school.

(e)(1) The professional development obtained by licensed school personnel may be obtained as in-person or online professional development.

(2) The Arkansas Child Abuse/Rape/Domestic Violence Commission shall approve the curriculum for the professional development.

(3) Licensed school personnel shall document completed professional development according to the rules of the state board.

History. Acts 2007, No. 703, § 3; 2009, No. 758, § 7; 2011, No. 1236, § 1; 2013, No. 969, § 11; 2019, No. 910, § 1964. . . . substituted "Division of Higher Education" for "Department of Higher Education" in (b).

Amendments. The 2019 amendment

6-61-134. Associate of applied science degree — Mathematics requirement.

(a) An applicable and appropriate nonremedial mathematics course is:

(1) An Arkansas Course Transfer System mathematics course with the "MATH" prefix;

(2) Applied mathematics; or

(3) A nonremedial mathematics course that satisfies the mathematics component of the associate of applied science degree and has been approved by the:

(A) State-supported institution of higher education offering the associate of applied science degree through the academic review process; and

(B) Division of Higher Education.

(b) Beginning July 2011, state-supported institutions of higher education shall require a college-level nonremedial mathematics course for an associate of applied science degree.

History. Acts 2009, No. 1197, § 1; substituted “Division of Higher Education” for “Department of Higher Education” in (a)(3)(B).
2019, No. 910, § 1965.

Amendments. The 2019 amendment

6-61-135. False academic credential — Definition.

(a) As used in this section, “false academic credential” means a document that provides evidence or demonstrates completion of an academic or professional course of study at the postsecondary level that results in the awarding of a certificate, degree, or rank that is issued by an individual or institution that is not:

(1) Certified under § 6-61-301; or

(2) Exempt from certification under § 6-61-301.

(b) A person shall not knowingly use a false academic credential for the purpose of:

(1) Obtaining:

(A) Employment;

(B) A license or certificate to practice a trade, profession, or occupation;

(C) A promotion, compensation, or other benefit from an employer;

(D) Admission to an institution of higher education; or

(E) A position in government with authority over another person;
or

(2) Promoting or introducing oneself to others in any oral or written communication as having attained an academic title or a level of academic achievement.

(c) A person who violates this section may be convicted of a Class B misdemeanor and fined up to one thousand dollars (\$1,000).

History. Acts 2011, No. 205, § 1.

6-61-136. Establishment of an accrediting agency.

(a) Except as provided in subsection (b) of this section, an individual shall not establish or operate an accrediting agency for institutions of higher education in this state without recognition by the United States Department of Education.

(b) This section does not apply to an accrediting agency that:

(1) Accredits only schools operated solely to provide programs of study that prepare students for religious vocations as ministers, professionals, or laypersons in the categories of ministry, counseling,

theology, education administration, music, fine arts, or media communications;

(2) Accredits only institutions whose names include a religious modifier or the name of a religious patriarch, saint, religious person, or symbol of the church;

(3) Accredits only institutions whose degree titles include a religious modifier that:

(A) Immediately precedes or is included within any of the following degrees:

- (i) Associate of Arts;
- (ii) Associate of Science;
- (iii) Bachelor of Arts;
- (iv) Bachelor of Science;
- (v) Master of Arts;
- (vi) Master of Science;
- (vii) Doctor of Philosophy; or
- (viii) Doctor of Education; and

(B) Is placed on the title line of the degree, on the transcript, and whenever the title of the degree appears in official school documents or publications; and

(4) Does not accredit any institution that receives federal funding.

(c) An institution accredited under subsection (b) of this section shall:

(1) Notify students in writing that courses completed and a degree obtained at the institution are not transferable to an institution of higher education accredited through the United States Department of Education; and

(2)(A) Obtain the student's signature acknowledging that the student has been informed and understands the notification.

(B) The institution shall maintain the acknowledgment signed by the student as part of the student's record.

History. Acts 2011, No. 205, § 1; 2013, No. 971, § 1.

6-61-137. Presentation of expenditure data by state-supported institutions of higher education — Definition.

(a)(1) As used in this section, "expenditure data" means information regarding the spending of public funds that adequately identifies the purpose, amount, payor, and vendor, if such disclosure is permissible under the Freedom of Information Act of 1967, § 25-19-101 et seq., and federal laws or regulations.

(2) "Expenditure data" does not include expenses of pending litigation.

(b) A state-supported institution of higher education shall present expenditure data on a website operated by the state-supported institution of higher education.

(c) The website shall:

(1) Be updated on a regular basis to present expenditure data for the current fiscal year and prior year's annual expenditures, starting with the 2013 fiscal year; and

(2) Retain expenditure data for each state fiscal year, starting with the 2013 fiscal year, until ten (10) years of expenditure data are available, after which the website shall retain at least ten (10) years of expenditure data.

(d)(1) The Division of Higher Education:

(A) May promulgate rules necessary to implement this section; and

(B) Shall develop internal guidelines necessary to implement this section.

(2) The division shall consult with the state-supported institutions of higher education in developing rules and internal guidelines necessary to implement this section.

History. Acts 2011, No. 1163, § 1; 2019, No. 910, § 1966.

Amendments. The 2019 amendment substituted "Division of Higher Educa-

tion" for "Department of Higher Education" in the introductory language of (d)(1); and substituted "division" for "department" in (d)(2).

6-61-138. Posthumous degrees.

(a) Each institution of higher education is encouraged to establish a process for awarding a posthumous degree to a student who has died while enrolled in a degree program at the institution of higher education.

(b) A process established by an institution of higher education may include without limitation consideration of the student's:

(1) Level of completion in his or her degree program;

(2) Academic status; and

(3) Personal factors, such as circumstances of death.

(c) The institution of higher education or the parent of a student who died while enrolled in a degree program at an institution of higher education may initiate the process by requesting that a posthumous degree be awarded on the student's behalf.

History. Acts 2011, No. 1239, § 1.

6-61-139. Emergency or security records or information — Disclosure exempted.

The following records or other information is confidential and not subject to the Freedom of Information Act of 1967, § 25-19-101 et seq.:

(1) Records or other information of a state-supported institution of higher education that upon disclosure could reasonably be expected to be detrimental to the public safety, including records or other information concerning emergency or security plans, procedures, risk assessments, studies, measures, or systems; and

(2) Records or other information relating to the number of licensed security officers, certified law enforcement officers, or other security personnel employed by or contracting with a state-supported institution of higher education, as well as any personal information about those individuals.

History. Acts 2017, No. 541, § 2.

6-61-140. Panic button alert systems.

(a) Beginning with the 2017-2018 academic year, a state-supported institution of higher education may offer to its students, employees, and other personnel a panic button alert system that:

(1) Connects the user in real time with designated individuals, with the ability of contacting a live 911 operator;

(2)(A) Directly integrates into the existing statewide Smart911 system.

(B) The Smart911 system shall provide a way for a state-supported institution of higher education to geo-fence the campus and provide the Global Positioning System (GPS) location to assist emergency responders by automatically displaying during a 911 call;

(3) Is available for use on and off campus as a smartphone application and has a mechanism for panic notifications to be triggered by non-smartphone wireless callers and landline callers or automatic alert features in the event the user is unable to respond; and

(4) Has geo-tracking capability that can determine the location and movements of the person who engaged the panic button alert system.

(b) A state-supported institution of higher education may provide information to its students, employees, and other personnel to educate the students, employees, and other personnel on:

(1) The use of the panic button alert system; and

(2) How and where to obtain the panic button alert system.

History. Acts 2017, No. 984, § 1.

6-61-141. Duplication of services.

An institution of higher education that has its main campus, satellite campus, or center located within a twenty-five-mile radius of another main campus of an institution of higher education shall enter into a written agreement with that institution of higher education that shall address duplication of services between the institutions of higher education.

History. Acts 2019, No. 873, § 35.

SUBCHAPTER 2 — ARKANSAS HIGHER EDUCATION COORDINATING BOARD

SECTION.

6-61-201. Members — Meetings.

SECTION.

6-61-202. Powers and duties generally.

SECTION.

- 6-61-203. Director and staff — Funds — Central office.
- 6-61-204. Advisory committees and councils.
- 6-61-205. Master plan.
- 6-61-206. Studies, surveys, evaluations, etc.
- 6-61-207. Role and scope designations.
- 6-61-208. New units of instruction, research, and public service — Definition.
- 6-61-209. Budgets.
- 6-61-210. [Repealed.]
- 6-61-211. [Repealed.]
- 6-61-212. State agency for federal programs.
- 6-61-213. Administration of trusts, endowments, etc.
- 6-61-214. Review of existing degree programs — Minimum standards.
- 6-61-215. Student tuition and fees — Reporting.
- 6-61-216. Transfer students.

SECTION.

- 6-61-217. Minimum core courses for college prep.
- 6-61-218. Minimum college core — Transferability.
- 6-61-219. [Repealed.]
- 6-61-220. Retention and graduation rate information.
- 6-61-221. Reporting of graduates requiring postsecondary remediation.
- 6-61-222. Financial condition report.
- 6-61-223. [Repealed.]
- 6-61-224. [Repealed.]
- 6-61-225. [Repealed.]
- 6-61-226. Guidelines for course review.
- 6-61-227. Annual transfer credit report.
- 6-61-228 — 6-61-230. [Repealed.]
- 6-61-231. Statewide transfer agreement — Definitions.
- 6-61-232. Maximum semester hours required for a degree program.
- 6-61-233. [Repealed.]
- 6-61-234. Productivity-based funding model.

Effective Dates. Acts 1977, No. 560, § 30: Mar. 21, 1977. Emergency clause provided: "It has been found and is hereby determined by the General Assembly that comprehensive planning for post-secondary education in Arkansas must be given greater emphasis. Further delay would possibly affect the educational opportunities available to citizens of the State and the quality of these opportunities. Therefore, an emergency is declared to exist, and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval."

Acts 1979, No. 820, § 4: Apr. 10, 1979. Emergency clause provided: "It has been found by the General Assembly that coordination of acquisitions of data processing equipment or services by public colleges or universities is important to the effective expenditure of public funds. Therefore, an emergency is declared to exist, and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval."

Acts 1985, No. 565, § 3: Mar. 25, 1985. Emergency clause provided: "It is hereby

found and determined by the General Assembly that the Arkansas Department of Higher Education is in urgent need of authority to assist in the administration of programs funded from private endowments and grants and that this Act is designed to give the Department such authority and should be given effect at the earliest practical date. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1989, No. 267, § 5: Mar. 1, 1989. Emergency clause provided: "It is hereby found and determined by the General Assembly that current guidelines regarding the developing and reporting of accurate information in relation to the retention and graduation rates of students and student athletes attending state-supported institution of higher education are inconsistent and inadequate and informed decisions regarding coordination, governance, financing, and academic policies of higher education would be significantly aided by the adoption of the provisions of this Act. Therefore, an emergency is

hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1991, No. 1244, § 43: Apr. 17, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly that the restructuring of the delivery system of adult education and vocational education in this state is necessary to provide higher quality educational programs which are accessible by all segments of the population in this state; that recent studies have shown that in the year 2000, workers must have a minimum of fourteen (14) years education to function in the work force; that the state is in desperate need of training, retraining and upgrading the work force; that this act will provide a means to establish more institutions working closely with business and industry to provide every citizen with an opportunity to participate in vocational-technical training or college transfer programs within a reasonable driving distance of their homes; that it is necessary for this Act to become effective immediately so needed changes can be made prior to the date the institutions contained herein are transferred to the new system. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1997, No. 112, § 40: Feb. 7, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 10 of the First Extraordinary Session of 1995 abolished the Joint Interim Committee on Education and in its place established the House Interim Committee and Senate Interim Committee on Education; that various sections of the Arkansas Code refer to the Joint Interim Committee on Education and should be corrected to refer to the House and Senate Interim Committees on Education; that this act so provides; and that this act should go into effect immediately in order to make the laws compatible as soon as possible. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety

shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 1997, No. 1114, § 18: May 1, 1997. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act abolishes the State Board of Higher Education and replaces the board with the Arkansas Higher Education Coordinating Board; and that to provide for an efficient transition and to allow the Governor a sufficient time to make appointments, this act shall become effective May 1, 1997. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on May 1, 1997."

Acts 2003 (1st Ex. Sess.), No. 25, § 40: July 1, 2003. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on

July 1, 2003 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2003 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2003.”

Acts 2009, Nos. 605 and 606, § 27: Mar. 25, 2009. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the people of the State of Arkansas overwhelmingly approved the establishment of lotteries at the 2008 General Election; that lotteries will provide funding for scholarships to the citizens of this state; that the failure to immediately implement this act will cause a reduction in lottery proceeds that will harm the educational and economic success of potential students eligible to receive scholarships under the act; and that the state lotteries should be implemented as soon as possible to effectuate the will of the citizens of this state and implement lottery-funded scholarships as soon as possible. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

Acts 2011, No. 1203, § 8: Apr. 5, 2011. Emergency clause provided: “It is found and determined by the General Assembly

of the State of Arkansas that there is an increasing need to ensure accountability and efficiency with our limited financial resources in trying economic times; that clarifying the funding mechanisms for state supported institutions of education will allow the limited financial resources to be allocated in a fair and equitable manner; and that this act is immediately necessary because funding for state-supported institutions is necessary for the 2012-2013 academic year. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled ‘Funding and classification of cabinet-level department secretaries’ and ‘Transformation and Efficiencies Act transition team’ should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

6-61-201. Members — Meetings.

(a)(1) The Arkansas Higher Education Coordinating Board shall consist of twelve (12) members appointed by the Governor as follows:

(A)(i) Six (6) members who shall be:

(a) Qualified electors of the State of Arkansas; and

(b) Graduates of public two-year or four-year institutions of higher education within the state.

(ii) If an appointee under this subdivision (a)(1)(A) is serving as a member of a board of a two-year or four-year institution of higher education at the time of appointment to the Arkansas Higher Education Coordinating Board, the appointee shall relinquish his or her membership on the board of the two-year or four-year institution of higher education; and

(B)(i) Six (6) members shall be selected from business, industry, education, agriculturally related industry, and medical services and shall not be current members of a board of a public two-year or four-year institution of higher education.

(ii) At least one (1) of the appointees shall have a strong interest in and commitment to economic and workforce development.

(iii) At least one (1) of the appointees shall have experience in the knowledge-based technology field.

(2) No more than four (4) members of the Arkansas Higher Education Coordinating Board shall be appointed from any one (1) congressional district as the districts exist at the time of the appointment.

(b) Vacancies on the Arkansas Higher Education Coordinating Board shall be filled for the unexpired terms, and the appointments shall be made in the same manner as the positions vacated.

(c)(1) The members of the Arkansas Higher Education Coordinating Board shall serve staggered terms of six (6) years.

(2) The terms of two (2) members shall expire each year.

(d) An intensive orientation program designed by the Presidents Council shall be mandatory for members of the Arkansas Higher Education Coordinating Board.

(e) The Arkansas Higher Education Coordinating Board annually shall elect from its membership the Chair of the Arkansas Higher Education Coordinating Board and other officers necessary to carry on its business.

(f)(1) The Arkansas Higher Education Coordinating Board shall meet at least one (1) time during each calendar quarter and at other times upon the call of the chair or of any other four (4) members.

(2) The Arkansas Higher Education Coordinating Board shall, at the times that it desires, meet on the campuses of the respective public institutions of higher education in the state.

(g) Members of the Arkansas Higher Education Coordinating Board shall serve without compensation but may receive expense reimbursement in accordance with § 25-16-901 et seq.

History. Acts 1977, No. 560, §§ 2, 3; A.S.A. 1947, §§ 80-4902, 80-4903; Acts 1991, No. 1244, § 4; 1997, No. 250, § 25; 1997, No. 1114, § 2; 1999, No. 1352, § 1; 2003 (1st Ex. Sess.), No. 25, § 36; 2015, No. 1100, § 6; 2019, No. 55, § 1; 2019, No. 1084, § 1.

A.C.R.C. Notes. Pursuant to § 1-2-207(b), subdivision (a)(1) of this section is set out as amended by Acts 2019, No. 1084, § 1. Acts 2019, No. 55, § 1, also amended subdivision (a)(1) of this section to read:

“(a)(1) The Arkansas Higher Education

Coordinating Board shall consist of twelve (12) members appointed by the Governor as follows:

“(A) Three (3) members shall be selected from the current or recent membership of the boards of public colleges or universities. If the person selected is serving on the membership of the board of a public campus, the person shall relinquish his or her membership on the board; and

“(B)(i) Nine (9) members shall be selected from business, industry, education, agriculturally related industry, and medical services and shall not be current members of a board of a public two-year or four-year campus.

“(ii) At least one (1) of the appointees shall have a strong interest in and commitment to economic and workforce development.

“(iii) At least one (1) of the appointees shall have experience in the knowledge-based technology field.”

Amendments. The 2019 amendment by No. 55, in (a)(1)(A), substituted “public colleges or universities” for “public two-year colleges” in the first sentence, and deleted “two-year” preceding “campus” in the second sentence; deleted (a)(1)(B) and redesignated former (a)(1)(C) as (a)(1)(B); and substituted “Nine (9) members” for “Six (6) members” in (a)(1)(B)(i).

The 2019 amendment by No. 1084 rewrote (a)(1); substituted “Arkansas Higher Education Coordinating Board” for “board” in (a)(2) and throughout the section; deleted (a)(3), former (b), and (c)(3), and redesignated the remaining subsections accordingly; substituted “public institutions of higher education” for “institutions of higher learning” in (f)(2); and made stylistic changes.

CASE NOTES

Cited: *Hadley v. North Ark. Cmty. Tech. College*, 76 F.3d 1437 (8th Cir. 1996).

6-61-202. Powers and duties generally.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the following powers and duties:

(1)(A) To receive within one (1) year of their appointment and each year thereafter a minimum of eight (8) clock hours of instruction and training, to include higher education issues, policies, laws, and the duties and responsibilities associated with the position of Arkansas Higher Education Coordinating Board member.

(B) The members of the boards of all publicly supported institutions of higher education shall receive similar instruction and training within one (1) year of their appointment or election and each year thereafter, which shall be conducted by the individual institutions;

(2) Along with its director, to be responsible, within fiscal and staff capabilities, for directing an integrated program for defining, popularizing, and securing acceptance of the major goals and objectives of higher education in Arkansas and for relating them to the state’s various problems;

(3) To request and receive any information from the publicly supported institutions of higher education as the Arkansas Higher Education Coordinating Board deems necessary for the performance of its duties;

(4) To promulgate and adopt uniform definitions and forms in such matters as financial reporting, academic statistics, and resident status of students for use in making financial recommendations and standard enrollment data to be followed by the institutions of higher education;

(5) To determine the need for and recommend to the Governor and the General Assembly the establishment and location of any new institutions and to recommend, when appropriate, changes in the names of existing state-supported institutions of higher education;

(6) To recommend the level of funding and the method of distribution of state-supported scholarships and loan programs, and to seek the cooperation of the state-supported institutions of higher education to develop policies to coordinate all student loan and scholarship programs, including those federally financed; and

(7) To review all proposed bond issues to be made by any public institution of higher education and to advise the board of trustees of each of the respective institutions as to the economic feasibility thereof, as set forth in § 6-62-306.

(b) The Arkansas Higher Education Coordinating Board shall encourage the cooperation of private institutions of higher education in its efforts to plan more effectively for the coordinated development of higher education in this state.

History. Acts 1977, No. 560, §§ 4, 24; 1979, No. 820, § 1; A.S.A. 1947, §§ 80-4904, 80-4924; Acts 1993, No. 1171, § 1.

6-61-203. Director and staff — Funds — Central office.

(a)(1)(A) The Arkansas Higher Education Coordinating Board shall appoint a director through a search and selection process that includes substantial input, review, and recommendation from the Presidents Council, subject to confirmation by the Governor.

(B) The Director of the Arkansas Higher Education Coordinating Board shall serve at the pleasure of the Governor.

(C) The director shall report to the Secretary of the Department of Education.

(2)(A) The director and other staff employed by the board shall demonstrate competence in the field of institutional management or agency management, institutional finance, financial aid, or institutional research.

(B) The director shall exhibit advanced coordination and communication skills.

(b) The salary of the director and other members of the staff employed by the board or the Department of Education shall be comparable to the positions requiring similar qualifications and experience.

(c) The staff of the board shall be under the direction and supervision of the director.

(d) The board shall be provided sufficient operating funds to enable it to carry out adequately the programs and functions assigned to the Division of Higher Education.

(e) The central office of the division shall be maintained in Little Rock.

(f)(1) The board shall evaluate the director annually.

(2) The council shall provide an evaluation report of the division and the director to the board at least annually.

History. Acts 1977, No. 560, § 23; A.S.A. 1947, § 80-4923; Acts 1997, No. 1114, § 3; 2013, No. 533, § 1; 2019, No. 910, § 1967.

Amendments. The 2019 amendment added (a)(1)(C); deleted former (a)(2), and

redesignated former (a)(3) as (a)(2); inserted "or the Department of Education" in (b); substituted "Division of Higher Education" for "Department of Higher Education" in (d); and substituted "division" for "department" in (e) and (f)(2).

6-61-204. Advisory committees and councils.

(a) The Arkansas Higher Education Coordinating Board and the Presidents Council are authorized to establish advisory committees and councils as may be deemed necessary for the effective development and coordination of higher education in this state.

(b)(1) The Presidents Council shall be composed of all presidents and chancellors of public two-year and four-year colleges and universities.

(2) The Presidents Council shall meet at least quarterly.

(3) The Presidents Council shall serve in a strong advisory capacity to the Director of the Arkansas Higher Education Coordinating Board and to the board.

(4) All board items must be reviewed by the Presidents Council prior to being placed on the board's agenda.

(c)(1)(A) There is created the Executive Council, which shall be selected by the Presidents Council from its membership.

(B) The Executive Council shall consist of four (4) members from two-year campuses and four (4) members from four-year campuses.

(2) Executive Council members shall serve for staggered terms of two (2) years.

(3) The Executive Council shall elect officers as it deems necessary.

(4) The Executive Council shall meet at least monthly, or more frequently as needed, with the director and senior staff.

(5)(A) All items to be considered as board agenda items must be reviewed by the Executive Council before being placed on any board agenda.

(B) In the event that the director and staff shall not be in agreement with the Executive Council on a matter to be considered by the board, the Executive Council's recommendation will be placed on the board agenda automatically for a presentation and explanation of the Executive Council's position. The board will then make a decision based on both positions.

(d)(1)(A) A working committee structure shall be established involving the Presidents Council or its designees.

(B) Examples of possible committees include but are not limited to accountability, graduate studies, undergraduate studies, workforce development, continuing education, and finance and funding.

(2) The committees shall make recommendations to the Presidents Council and the director when policy or funding issues are to be decided.

(3) The Division of Higher Education employees shall staff each committee.

History. Acts 1977, No. 560, § 24; substituted "Division of Higher Education" for "Department of Higher Education" in (d)(3).
A.S.A. 1947, § 80-4924; Acts 1997, No. 1114, § 4; 2019, No. 910, § 1968.

Amendments. The 2019 amendment

6-61-205. Master plan.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to accept responsibility for continuous master planning.

(b) The board shall involve a broadly representative advisory committee in the development of a comprehensive master plan for all of postsecondary education and shall continually use the committee to keep the master plan updated.

(c) This plan shall include all senior colleges and universities which are state supported, community colleges, branches of state-supported institutions, independent or private colleges and universities, proprietary institutions, and postsecondary efforts of area vocational-technical schools.

(d) Broad citizen participation shall be sought by the board in the development of this plan.

History. Acts 1977, No. 560, § 4; 1979, No. 820, § 1; A.S.A. 1947, § 80-4904.

6-61-206. Studies, surveys, evaluations, etc.

In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty:

(1) To conduct or cause to be made such studies, surveys, and evaluations of postsecondary education as the board believes necessary to carry out its duties, to include, but not be limited to:

(A) Studies of:

(i) Space utilization and development of guidelines for space utilization;

(ii) Manpower needs and their implications for program development; and

- (iii) Programs for purposes of identifying and reducing unnecessary program duplication and identifying needs for new programs;
- (B) Analysis of:
 - (i) Class size, faculty loads, and cost of instruction, sabbatical leave, and other fringe benefits; and
 - (ii) Enrollments, extension programs, sources of students, and retention of students; and
- (C) Advise institutions of plans and needed improvements; and
- (2) To conduct continuing studies as to public universities and colleges in all matters affecting these institutions and from time to time submit recommendations to the Governor, the General Assembly, and each institution of higher education based upon its findings, together with recommended plans for implementing such recommendations.

History. Acts 1977, No. 560, § 4; 1979, No. 820; § 1; A.S.A. 1947, § 80-4904.

6-61-207. Role and scope designations.

(a)(1) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to establish, in consultation with college and university personnel, appropriate role and scope designations within which boards of trustees must operate the institution or institutions under their jurisdiction.

(2) The board shall establish such role and scope designations by January 1, 1990. The designations may be changed at any time as determined by the board. They shall be fully reviewed at least one (1) time every five (5) years.

(3) Prior to their establishment of or making a change in role and scope designations, the board shall carefully study the change in consultation with institutional personnel, announce the intent to consider a change, and publicly reveal the change that is being proposed at a regular quarterly meeting, with the vote to come no sooner than the next regular quarterly meeting.

(b) To assist the board and the Division of Higher Education in their effort to promote a coordinated system of higher education in Arkansas that addresses and responds to the changing economic needs of the state and the new economy, the Arkansas Economic Development Commission shall provide the division a list of the state's overall and regional economic development goals within ten (10) days of August 12, 2005, and by September 1 of each year thereafter.

(c)(1) The division may retain the services of consultants or other experts as may be necessary to carry out the review, and the division staff shall work directly with the consultants to handle the logistics of needed discussion groups, meeting minutes, and recommendation dissemination.

(2) The review process shall include an opportunity for institutions to provide input, as well as a time for public and business comment.

(3) Upon completion of the review, the division shall provide a report regarding its findings to the board, the Governor, the cochair of the Legislative Council, and the Director of the Bureau of Legislative Research.

(4) The requirements for a review under this section shall be contingent upon the appropriation and availability of funding for that purpose.

History. Acts 1977, No. 560, § 4; 1979, No. 820, § 1; A.S.A. 1947, § 80-4904; Acts 1989, No. 397, § 1; 2005, No. 502, § 1; 2019, No. 910, § 1969.

Amendments. The 2019 amendment

substituted “Division of Higher Education” for “Department of Higher Education” in (b); and substituted “division” for “Department of Higher Education” in (b) and throughout (c).

6-61-208. New units of instruction, research, and public service — Definition.

(a)(1) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to request, receive, evaluate, and approve proposals for all new units of instruction, research, and public service, consistent with established role and scope designations which have been approved by the board of trustees and the president of an institution, and to determine, based upon established policies, whether new units of instruction, research, or public service are justified.

(2)(A) “Established policies” as used in this subsection means a written statement developed by the Arkansas Higher Education Coordinating Board in consultation with and upon the advice of representatives of each of the state’s institutions of higher education which shall set forth the relevant criteria which a proposal for a new unit of instruction must meet before its establishment by an institution is justified.

(B)(i) The term “new unit of instruction, research, or public service” used in this subsection includes establishment of a college, school, division, institute, center, department, new curricula, majors leading to a new degree program, or an extension service not presently included in the program of the institution.

(ii) The term does not include reasonable and moderate extensions, as defined by the Arkansas Higher Education Coordinating Board, of existing curricular research or public service programs which have a direct relationship to existing programs at the several public institutions of higher education.

(b) General revenues appropriated by the General Assembly shall not be expended for new programs that have not been recommended by the Arkansas Higher Education Coordinating Board.

History. Acts 1977, No. 560, § 4; 1979, No. 820, § 1; A.S.A. 1947, § 80-4904; Acts 1989, No. 397, § 2.

6-61-209. Budgets.

In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the following powers and duties:

(1)(A) To review, evaluate, and coordinate budget requests for the state-supported universities and colleges and present to the General Assembly and to the Governor prior to each regular session of the General Assembly a single budget report containing the recommendations for separate appropriations to each of the respective institutions.

(B) The recommendations will be consistent with a comprehensive master plan of postsecondary education in Arkansas as developed by the board.

(C) The recommendations, insofar as possible, will be based upon standard techniques of objective measurement of need and unit cost figures arrived at through comparative data secured from the several institutions.

(D) Specific needs of institutions based upon existing programs and deficiencies will be given consideration; and

(2)(A) To develop, in conjunction with the institutions of higher education, the Governor, and the Legislative Council, a single set of budget forms which will be utilized by all parties in making requests and recommendations for the funding of state-supported colleges and universities.

(B) The forms and process will require that the total income and expenditures of each institution must be considered in the request process.

History. Acts 1977, No. 560, § 4; 1979, No. 820, § 1; A.S.A. 1947, § 80-4904.

CASE NOTES

Cited: Hadley v. North Ark. Cmty. Tech. College, 76 F.3d 1437 (8th Cir. 1996).

6-61-210. [Repealed.]

Publisher's Notes. This section, concerning the allocation of additional state funds, was repealed by Acts 2017, No. 148,

§ 2. The section was derived from Acts 1971, No. 697, § 1; 2009, No. 962, § 6.

6-61-211. [Repealed.]

Publisher's Notes. This section, concerning data processing equipment or services, was repealed by Acts 1977, No. 798, § 1. The section was derived from Acts 1977, No. 560, § 4; 1979, No. 820, § 1; 1985, No. 463, § 2; A.S.A. 1947, § 80-4904; Acts 1989, No. 16, § 1.

6-61-212. State agency for federal programs.

In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to serve as the state agency of this state for such federal programs which can most appropriately be administered by it.

History. Acts 1977, No. 560, § 4; A.S.A. 1947, § 80-4904.

6-61-213. Administration of trusts, endowments, etc.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to provide administrative assistance in accordance with terms agreed upon by both the Division of Higher Education and parties establishing trusts, endowments, or otherwise providing funds in support of scholarships, research, or other educational activities at Arkansas institutions of higher education.

(b) The division is not authorized to be the custodian of, or to in any way participate in, the financial management of trusts, endowments, or other funds established for purposes of this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], § 6-61-212, §§ 6-61-214 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed].

(c)(1) The assistance of the division is limited to administrative support in the allocation or awarding of funds to be disbursed by the donor or a properly authorized trustee.

(2) The division is authorized to supplement administrative costs for such assistance by charging a minimal administrative fee acceptable to the division and the parties establishing the endowments or providing the funds.

History. Acts 1977, No. 560, § 4; 1985, No. 565, § 2; A.S.A. 1947, § 80-4904.

Publisher's Notes. Acts 1985, No. 565, § 1, provided that the purpose of the act was to authorize the Department of Higher Education to provide administrative assistance in the establishment of

endowments or grants for scholarships, research, or other educational activities, or in the distribution of funds for such activities and to provide for the department to charge a minimal administrative fee acceptable to the department and the provider of the funds.

6-61-214. Review of existing degree programs — Minimum standards.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to establish minimum standards of quality and cost effectiveness and review each existing academic degree program in the state institutions of higher education at least every ten (10) years but no more frequently than every seven (7) years.

(b)(1) Such programs shall either be certified as having met established standards or placed on two-year probationary status.

(2) During the probationary period, at the request of the institution, the board shall provide guidance to the institutions in an attempt to qualify the programs to meet the minimum standards for quality and cost effectiveness.

(c) At the end of the two-year period, the board shall make recommendations to the institutions, the Governor, and the General Assembly concerning the continuation, termination, or extended probation of the program.

(d) General revenues shall not be expended for operation of degree programs beyond the deadline set by the board without the specific approval of the General Assembly. The deadline shall coincide with the end of the biennium.

History. Acts 1977, No. 560, § 4; A.S.A. 1947, § 80-4904; Acts 1989, No. 397, § 3.

6-61-215. Student tuition and fees — Reporting.

Annually, by July 1, the Division of Higher Education shall report the tuition and mandatory fees charged to students, including all changes to tuition and mandatory fees, for each state-supported institution of higher education to the House Committee on Education and the Senate Committee on Education.

History. Acts 1977, No. 560, § 4; A.S.A. 1947, § 80-4904; Acts 2015, No. 700, § 1; 2019, No. 910, § 1970.

Amendments. The 2019 amendment

substituted "Division of Higher Education" for "Department of Higher Education".

CASE NOTES

ANALYSIS

Foreign Students.
Residence.

Foreign Students.

Student with certification for F-1 non-immigrant status held not to be an Arkan-

sas resident for in-state tuition purposes. *Hein v. Ark. State Univ.*, 972 F. Supp. 1175 (1997).

Residence.

Pursuant to this section, the Department of Higher Education has promulgated rules defining in-state versus out-of-

state students; the residency requirements include a six-month continuous presence in the State, coupled with an intent to make Arkansas one's permanent home. *Hein v. Ark. State Univ.*, 972 F. Supp. 1175 (1997).

6-61-216. Transfer students.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to develop, with the assistance of institutional advisory committees, policies for transfer students from community colleges to senior institutions, for transfer of students among institutions of the same type, and for transfer of students from vocational and technical schools to other institutions.

(b) These policies should be a part of the comprehensive master plan and should receive review from appropriate citizens throughout the state prior to adoption by the board for their recommendation to the boards of trustees of institutions.

History. Acts 1977, No. 560, § 4; A.S.A. 1947, § 80-4904.

6-61-217. Minimum core courses for college prep.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each state-supported institution of higher education, the Arkansas Higher Education Coordinating Board, after consultation with the State Board of Education, shall identify a minimum core of high school courses recommended for preparation for college.

(b) The Arkansas Higher Education Coordinating Board shall communicate this information at least annually to public school superintendents, who shall make copies available each year to public school students enrolled in grades seven through twelve (7-12).

(c) The Arkansas Higher Education Coordinating Board may revise the list of high school courses from time to time, as needed.

History. Acts 1989, No. 98, § 1; 2011, No. 981, § 16.

6-61-218. Minimum college core — Transferability.

To promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the state-supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall establish in consultation with state-supported institutions of higher education a minimum core of courses which shall apply toward the general education core curriculum requirements for associate and baccalaureate degrees at state-supported

institutions of higher education and which shall be fully transferable among all state-supported institutions of higher education.

History. Acts 1989, No. 98, § 2; 2011, No. 747, § 1.

6-61-219. [Repealed.]

Publisher's Notes. This section, concerning the annual faculty performance review, was repealed by Acts 1999, No. 477, § 1. The section was derived from Acts 1989, No. 244, § 1; 1995, No. 465, § 1. For present law, see § 6-63-104.

6-61-220. Retention and graduation rate information.

(a)(1) Accurate information about the retention and graduation rates of students at state-supported colleges and universities is needed in order for the Arkansas Higher Education Coordinating Board, institutional boards of trustees, the General Assembly, and institutional faculty members and administrators to make informed decisions related to the coordination, governance, financing, and academic policies of higher education in Arkansas.

(2) Special attention to the retention and graduation rates of students who participate in intercollegiate athletics is needed because the percentage of student athletes who graduate is lower than for students who do not participate in athletics at many institutions throughout the nation.

(b)(1)(A) The Division of Higher Education, in consultation with the colleges and universities, shall recommend a system for the collection of information as to the retention and graduation rates of students at state-supported colleges and universities to the board, the Governor, the House Committee on Education, the Senate Committee on Education, and the colleges and universities.

(B) In addition to retention and graduation rates for all students, the report shall also include the retention and graduation rates of all students who participate in intercollegiate athletics.

(2) Except as provided in subsection (c) of this section, officials of state colleges and universities shall provide to the division the information requested by the division by December 1 of each year, beginning in 2000.

(3)(A) For the purpose of analysis by the Bureau of Legislative Research to guide the General Assembly's evaluation of the need for adjustments to eligibility and funding levels for state-supported student financial assistance, the Office of Accountability shall provide annually to the bureau all individual student demographic and test result data on ACT or ACT-equivalent college placement exams.

(B) The office shall provide the data in a database or spreadsheet format that omits personally identifiable information.

(c)(1) Subject to an adequate appropriation for the personnel and equipment necessary to implement the system recommended under subdivision (b)(1) of this section, the division shall collect the informa-

tion described in subdivision (b)(1) of this section and report its findings to the board, the Governor, the House Committee on Education, the Senate Committee on Education, and the colleges and universities by May 1 of each year, beginning in 2000.

(2) Notwithstanding the provisions of subdivision (c)(1) of this section, colleges and universities shall commence the collection of information as to the retention and graduation rates of all students who participate in intercollegiate athletics beginning in the fall semester of 1989 and shall report this information to the division by December 1 of each year, beginning in 2000.

(d) The board is hereby authorized to promulgate rules consistent with the intent and purpose of this section.

History. Acts 1989, No. 267, §§ 1, 2; 1999, No. 478, § 7; 2009, No. 605, § 8; 2009, No. 606, § 8; 2019, No. 315, § 366; 2019, No. 910, § 1971.

Amendments. The 2019 amendment by No. 315 deleted “and regulations” following “rules” in (d).

The 2019 amendment by No. 910 substituted “Division of Higher Education”

for “Department of Higher Education” in (b)(1)(A); substituted “division” for “department” in (b)(2) twice, (c)(1), and (c)(2); and substituted “Division of Elementary and Secondary Education” for “Department of Education” following “Office of Accountability of the” in (b)(3)(A).

6-61-221. Reporting of graduates requiring postsecondary remediation.

(a)(1) The Division of Higher Education shall collect information necessary to prepare reports of college achievement of high school graduates from each state-supported institution of higher education.

(2) The Division of Higher Education may contract with appropriate organizations for the preparation of the reports.

(b) The Division of Higher Education and the Division of Public School Accountability shall work together to develop a compatible system of reporting the number of:

(1) Students who required remediation during their first year of enrollment in a state-supported institution of higher education if the enrollment occurred within two (2) years of graduation from a secondary school in this state;

(2) Students who required remediation and who graduated:

(A) With a 3.0 or higher grade point average on a 4.0 scale; and

(B) From a public high school after completing the minimum core of high school courses recommended for preparation for postsecondary education by the Arkansas Higher Education Coordinating Board and the State Board of Education pursuant to § 6-61-217; and

(3) Attempts it takes a student to pass a postsecondary remedial course.

(c)(1) The compilation report generated by the Division of Higher Education shall not include individual student information if the information is reported in a manner that would identify a particular student.

(2) Any information gathered that identifies a particular student shall be confidential.

(d)(1) The Division of Higher Education shall include the reports developed under this section annually in the Comprehensive Arkansas Higher Education Annual Report and provide an electronic copy to the:

- (A) Division of Elementary and Secondary Education;
- (B) Division of Career and Technical Education;
- (C) Arkansas Higher Education Coordinating Board;
- (D) Governor;
- (E) House Committee on Education;
- (F) Senate Committee on Education;
- (G) State Board of Education; and
- (H) School district administrators for each public high school.

(2) The reports developed under this section shall be prepared on or before October 1 each year and include the cost of remediation for each state-supported institution of higher education, which shall be submitted to the Division of Higher Education according to standards developed by the Division of Higher Education and shall include for each state-supported institution of higher education:

- (A) The amount of institutional revenue spent on remediation;
- (B) The total general revenue subsidy spent on remediation;
- (C) The total institutional expenditure for remediation; and
- (D) The general revenue percentage of total expenditures for remediation.

(3) The report required under this subsection shall be separate from the financial condition report required under § 6-61-222.

History. Acts 1991, No. 880, § 1; 1999, No. 508, § 4; 2009, No. 970, § 1; 2011, No. 696, § 2; 2019, No. 256, § 2; 2019, No. 910, § 1972; 2021, No. 79, § 3.

Amendments. The 2019 amendment by No. 256 substituted “financial condition report” for “uniform reporting standards report” in (d)(3).

The 2019 amendment by No. 910 substituted “Division of Higher Education” for “Department of Higher Education” throughout the section; substituted “Division of Elementary and Secondary Education” for “Department of Education” in the introductory language of (b) following “Of-

fice of Accountability of the” and in (d)(1)(A); and substituted “Division of Career and Technical Education” for “Department of Career Education” in (d)(1)(B).

The 2021 amendment substituted “Division of Public School Accountability” for “Office of Accountability” in the introductory language of (b); deleted (b)(2)(B)(ii) and removed the (b)(2)(B)(i) designation; in (b)(2)(B), deleted “Program of the” preceding “minimum” and deleted “known as ‘Smart Core’” at the end; and deleted “beginning in the 2011-2012 school year” at the end of (b)(3).

6-61-222. Financial condition report.

(a)(1) The Division of Higher Education shall prepare a financial condition report, which shall include without limitation the information required under subdivision (b)(1) of this section.

(2) The financial condition report prepared under subdivision (a)(1) of this section shall be subject to biennial review by the Arkansas

Higher Education Coordinating Board, the House Committee on Education, and the Senate Committee on Education.

(3) The board may promulgate rules necessary for the implementation of this section and shall report to the House Committee on Education and the Senate Committee on Education the failure of an institution to comply with this section.

(b)(1) On a date determined by the division, each state-supported institution of higher education shall submit annually the following information for inclusion in the financial condition report required under subdivision (a)(1) of this section:

(A) Expenditures per full-time equivalent student by function, which includes without limitation:

- (i) Instruction;
- (ii) Research;
- (iii) Public service;
- (iv) Academic support;
- (v) Student services;
- (vi) Institutional support;
- (vii) Operating and maintenance of plant; and
- (viii) Scholarships and fellowships;

(B) Operating margins and education and general revenue fund balances;

(C) Net tuition and fee income;

(D) Faculty salaries;

(E) Institutional scholarship expenditures;

(F) Deferred and critical maintenance needs as determined by the facilities audit program;

(G) Auxiliary enterprise expenditures;

(H) Intercollegiate athletics revenues and expenditures;

(I) Bonds and loans that are reviewed for economic feasibility;

(J) Gross tuition and fee income;

(K) Gross direct state income;

(L) Gross federal income;

(M) Total student accounts receivable and an aging report in accordance with § 6-61-131;

(N) A calculation of the number of days of cash on hand in accordance with § 6-62-109; and

(O) Any other information requested by the division or the board.

(2) The board shall review the financial condition report required under subdivision (a)(1) of this section and submit it to the House Committee on Education and the Senate Committee on Education by January 15 of each odd-numbered year.

(c) The board may establish standards to report other information that may be required to meet other state or federal statutory or regulatory requirements.

History. Acts 1993, No. 376, §§ 1, 2; 1997, No. 112, §§ 15, 16; 1999, No. 523, 1993, No. 537, §§ 1, 2; 1995, No. 392, § 1; § 1; 2011, No. 696, § 3; 2019, No. 256,

§ 3; 2019, No. 315, § 367; 2019, No. 910, § 1973; 2021, No. 69, § 3.

A.C.R.C. Notes. The amendment of subdivision (a)(3)(B) of this section by Acts 2019, No. 910, § 1973 was superseded by the amendment of this section by Acts 2019, No. 256. The amendment by Acts 2019, No. 910 substituted “Division of Higher Education” for “Department of Higher Education” in former (a)(3)(B).

Amendments. The 2019 amendment by No. 256 substituted “Financial condition report” for “Uniform reporting stan-

dards” in the section heading; and rewrote the section.

The 2019 amendment by No. 315 deleted “or regulations” following “rules” in (a)(4) [now (a)(3)].

The 2019 amendment by No. 910 substituted “Division of Higher Education” for “Department of Higher Education” in (a)(3)(B).

The 2021 amendment inserted (b)(1)(M) and (b)(1)(N) and redesignated former (b)(1)(M) as (b)(1)(O).

6-61-223. [Repealed.]

Publisher’s Notes. This section, concerning the funding formula used by the Arkansas Higher Education Coordinating

Board, was repealed by Acts 2011, No. 1203, § 1. The section was derived from Acts 1997, No. 1059, § 15.

6-61-224. [Repealed.]

Publisher’s Notes. This section, concerning the funding formula, was repealed by Acts 2017, No. 148, § 3. The section

was derived from Acts 1997, No. 1211, § 25; 2011, No. 1203, § 2.

6-61-225. [Repealed.]

Publisher’s Notes. This section, concerning creation of a statewide comprehensive transfer policy, was repealed by

Acts 2011, No. 747, § 2. The section was derived from Acts 2005, No. 672, § 1.

6-61-226. Guidelines for course review.

(a)(1) Arkansas public colleges and universities shall submit to the Arkansas Higher Education Coordinating Board an application for courses to be included in the state minimum core curriculum.

(2) Courses shall be reviewed and recommended by a peer review project team established in the discipline.

(b)(1)(A) The Division of Higher Education shall establish peer review project teams composed of faculty members of Arkansas universities and two-year colleges.

(B)(i) The peer review project team for each discipline shall include no fewer than four (4) faculty members equally divided between two-year and four-year institutions who teach in the discipline.

(ii) Members shall be appointed by a majority vote of the Executive Council.

(2)(A) The peer review project team for each discipline shall review and recommend to the division courses in the applicable discipline to be recommended to the board for inclusion in the curriculum.

(B)(i) Courses not receiving a recommendation by the peer review project team shall receive from the peer review project team suggested improvements or revisions for the course or its application.

(ii) Colleges and universities may resubmit course applications to the peer review project team if the original application is not recommended to the board after appropriate adjustments have been made based on the suggested improvements or revisions from the peer review project team.

History. Acts 2005, No. 672, § 2; 2019, No. 910, §§ 1974, 1975.

Amendments. The 2019 amendment substituted “Division of Higher Educa-

tion” for “Department of Higher Education” in (b)(1)(A); and substituted “division” for “department” in (b)(2)(A).

6-61-227. Annual transfer credit report.

All public institutions of higher education and any participating private institutions of higher education shall file a report annually with the Division of Higher Education identifying the number of students who requested transfer credit for a completed course in the state minimum core curriculum but were not given credit.

History. Acts 2005, No. 672, § 3; 2019, No. 910, § 1976.

Amendments. The 2019 amendment

substituted “Division of Higher Education” for “Department of Higher Education”.

6-61-228 — 6-61-230. [Repealed.]

Publisher’s Notes. These sections, concerning the creation of the funding formula model for universities, the funding formula for two-year colleges, and review of funding formulas, were repealed by Acts 2017, No. 148, §§ 4-6. The sections were derived from the following sources:

6-61-228. Acts 2005, No. 1429, § 1; 2009, No. 797, §§ 1-4; 2011, No. 1203, §§ 3, 4; 2015, No. 978, § 42.

6-61-229. Acts 2005, No. 1760, § 1; 2007, No. 591, § 1; 2011, No. 1203, §§ 5, 6.

6-61-230. Acts 2005, No. 1760, § 2; 2007, No. 827, § 119; 2011, No. 1203, § 7.

6-61-231. Statewide transfer agreement — Definitions.

(a) As used in this section:

(1) “Designated transfer degree” means one (1) of the following associate degrees that is eligible for the full transfer under this section of credits earned and hours completed:

(A) Associate of arts;

(B) Associate of science; or

(C) Associate of arts in teaching;

(2) “Lower-division credits” means freshman and sophomore level course credits;

(3) “Public institution of higher education” means an Arkansas state-supported two-year or four-year college or university;

(4)(A) “State minimum core curriculum” means sixty (60) semester hours of lower-division coursework that include the thirty-five-hour general education core, major program prerequisites, and elective requirements that satisfy the requirements of an associate of arts degree, an associate of science degree, an associate of arts in teaching

degree, and selected baccalaureate degrees at all public institutions of higher education as determined by the Arkansas Higher Education Coordinating Board.

(B) The board, in collaboration with state-supported institutions of higher education, shall select the baccalaureate degree programs of study that shall be included in the state minimum core curriculum based on the demand for the program of study, both in terms of the number of students enrolled in the program of study and the need for students to enroll in a program of study to meet the economic development needs of the state.

(C) The completed state minimum core curriculum may vary for each student depending on his or her program of study; and

(5) "Transfer student" means a student transferring from a completed designated transfer degree program or a completed state minimum core curriculum to a baccalaureate program at a four-year public institution of higher education.

(b)(1) The purpose of this section is to eliminate obstacles to transfers of credits among public institutions of higher education in Arkansas by providing a seamless transfer of academic credits from a completed designated transfer degree program or a completed state minimum core curriculum to a baccalaureate degree program without the loss of earned credits and without the receiving public institution of higher education requiring additional lower-division general education credits.

(2) All public institutions of higher education shall provide comprehensive academic advising to all students regarding transfer options available under this section.

(c) The board shall develop a statewide transfer agreement that:

(1) Designates the following as transfer degrees at public institutions of higher education in Arkansas:

(A) Associate of arts;

(B) Associate of science; and

(C) Associate of arts in teaching;

(2) Requires a four-year public institution of higher education to accept all hours completed and credits earned for a designated transfer degree or a completed state minimum core curriculum upon a student's transfer to a baccalaureate degree program at the four-year public institution of higher education;

(3) Contains the transfer curriculum for each designated transfer degree that is approved by the board under subsection (d) of this section;

(4)(A) Requires a four-year public institution of higher education to admit a transfer student to junior status in a baccalaureate degree program at the four-year public institution of higher education.

(B)(i) A four-year public institution of higher education receiving a transfer student shall not require additional lower-division credits for the transfer student if the additional course is considered a general education lower-division course.

(ii) The receiving four-year public institution of higher education only may require the additional lower-division course if the additional lower-division course is:

(a) A prerequisite for courses in the transfer student's baccalaureate degree program;

(b) A discipline-specific course that is required by the transfer student's baccalaureate degree program and the student has not completed a course at the two-year public institution of higher education that is comparable to the discipline-specific course at the four-year public institution of higher education in the Arkansas Course Transfer System; or

(c) A requirement of an independent licensing or accrediting body.

(C) This subsection does not remove the requirement that a transfer student must meet total baccalaureate degree program credit-hour and course requirements in order to be eligible for a baccalaureate degree.

(D) The receiving four-year public institution of higher education shall determine whether to accept a grade of "D" for academic course credit for a student transferring from a public institution of higher education; and

(5)(A) Allows public institutions of higher education to develop transfer guidelines and articulation agreements for degree programs not otherwise covered under this section.

(B) Transfer guidelines are only for the purpose of student advising and do not exempt a four-year public institution of higher education from the requirements of subdivision (c)(4) of this section.

(d)(1) The board, with the assistance and cooperation of the public institutions of higher education, shall develop:

(A) A transfer curriculum for each designated transfer degree;

(B) Policies and procedures for reviewing and updating the statewide transfer agreement; and

(C)(i) Policies and procedures for the Division of Higher Education to collect data from public institutions of higher education to ensure that:

(a) All public institutions of higher education comply with this section; and

(b) The statewide transfer agreement is fostering both a seamless transfer process and the academic success of transfer students at Arkansas public institutions of higher education.

(ii) The division shall determine annually the data to be collected and shall establish by rule the procedures for a public institution of higher education to provide the data requested.

(2) The board, in collaboration with public institutions of higher education and faculty advisory panels of public institutions of higher education, shall identify:

(A) Degree programs offered by public institutions of higher education;

(B) Postsecondary career education programs offered by two-year public institutions of higher education, including those designated as college-credit courses applicable toward a certificate or degree;

(C) Courses that meet the thirty-five-hour general education core requirements within the subject areas of communication, mathematics, social sciences, humanities, and natural sciences that shall be accepted at all public institutions of higher education as general education courses;

(D) Lower-division courses offered by four-year public institutions of higher education accepted for credit toward a degree and identify those courses as either general education or required as a prerequisite for a degree; and

(E)(i) Common prerequisite courses and course substitutions for degree programs across all public institutions of higher education.

(ii) Required thirty-five-hour general education core courses shall be offered and accepted by all public institutions of higher education.

(3) All public institutions of higher education shall collaborate to form four-year faculty advisory panels and two-year faculty advisory panels that recommend major program prerequisites, course substitutions, and elective requirements for programs of study that shall be included in the state minimum core curriculum.

(e)(1) The board shall publish an internet-based student manual that identifies the state minimum core curriculum and describes how the state minimum core curriculum transfers to other public institutions of higher education within Arkansas.

(2) General information concerning the state minimum core curriculum, including the webpage link, shall be published in all versions of course catalogs of all public institutions of higher education.

(f)(1) The state minimum core curriculum shall be fully implemented no later than July 1, 2012.

(2) A public institution of higher education that is not in full compliance with this section shall not be eligible to accept state aid from the Higher Education Grants Fund Account on behalf of a student.

(g) A not-for-profit institution of higher education may participate in the statewide transfer agreement if the not-for-profit institution of higher education is:

(1) Accredited by a national or regional accrediting entity;

(2) Certified by the board; and

(3) Recognized by the United States Department of Education as eligible to receive Title IV financial aid funding under the Higher Education Act of 1965, Pub. L. No. 89-329.

History. Acts 2009, No. 182, § 1; 2011, No. 747, § 3; 2015, No. 292, § 1; 2019, No. 910, §§ 1977, 1978.

Amendments. The 2019 amendment substituted "Division of Higher Educa-

tion" for "Department of Higher Education" in the introductory language of (d)(1)(C)(i); and substituted "division" for "department" in (d)(1)(C)(ii).

6-61-232. Maximum semester hours required for a degree program.

(a)(1) An associate degree program shall require no more than sixty (60) semester hours of lower-division college credit, which may be satisfied by completing the state minimum core curriculum under § 6-61-231.

(2) An associate degree program may require more than sixty (60) semester hours of lower-division college credit if prior approval has been granted by the board of trustees of the state-supported institution of higher education and the Arkansas Higher Education Coordinating Board.

(b)(1) A baccalaureate degree program shall require no more than one hundred twenty (120) semester hours of college credit, which shall include the state minimum core curriculum under § 6-61-231.

(2) A baccalaureate degree program may require more than one hundred twenty (120) semester hours of college credit if:

(A) Prior approval has been granted by the board of trustees of the state-supported four-year institution of higher education and the Arkansas Higher Education Coordinating Board; or

(B) It is a requirement of an independent licensing or accrediting body.

(c) All required coursework shall count toward the associate of arts degree, associate of science degree, associate of arts in teaching degree, or selected baccalaureate degrees.

History. Acts 2011, No. 747, § 4.

6-61-233. [Repealed.]

Publisher's Notes. This section, concerning funding formula implementation, was repealed by Acts 2017, No. 148, § 7.

The section was derived from Acts 2013, No. 1397, § 44.

6-61-234. Productivity-based funding model.

(a)(1)(A) The Arkansas Higher Education Coordinating Board shall adopt policies developed by the Division of Higher Education necessary to implement a productivity-based funding model for state-supported institutions of higher education.

(B) The board shall adopt separate policies for two-year institutions of higher education and four-year institutions of higher education.

(2) The policies adopted to implement a productivity-based funding model for state-supported institutions of higher education shall contain measures for effectiveness, affordability, and efficiency that acknowledge the following priorities:

(A) Differences in institutional missions;

(B) Completion of students' educational goals;

(C) Progression toward students' completion of programs of study;

- (D) Affordability through:
 - (i) On-time completion of programs of study;
 - (ii) Limiting the number of excess credits earned by students; and
 - (iii) Efficient allocation of resources;
 - (E) Institutional collaboration that encourages the successful transfer of students;
 - (F) Success in serving underrepresented students; and
 - (G) Production of students graduating with credentials in science, technology, engineering, mathematics, and high-demand fields.
- (3) The productivity-based funding model shall not determine the funding needs of special units such as a medical school, a division of agriculture, or system offices.
- (b) The productivity-based funding model shall be:
- (1) Used to align institutional funding with statewide priorities for higher education by:
 - (A) Encouraging programs and services focused on student success; and
 - (B) Providing incentives for progress toward statewide goals; and
 - (2) Built around a set of shared principles that:
 - (A) Are embraced by state-supported institutions of higher education;
 - (B) Employ appropriate productivity metrics; and
 - (C) Are aligned with goals and objectives for postsecondary education attainment in this state.
 - (c)(1) The board shall use the productivity-based funding model as the mechanism for recommending funding for state-supported institutions of higher education.
 - (2) The board shall recommend funding for:
 - (A) State-supported institutions of higher education as a whole; and
 - (B) The allocation of funding to each state-supported institution of higher education.
 - (3) The board shall make separate recommendations for two-year institutions of higher education and four-year institutions of higher education.
 - (d) Funds unallocated to state-supported institutions of higher education due to productivity declines shall be reserved by the division to address statewide needs in higher education.
 - (e) The division shall review the policies every five (5) years to ensure the productivity-based funding model continues to respond to the needs and priorities of the state.
 - (f) In any fiscal year for which the aggregate general revenue funding forecast to be available for state-supported institutions of higher education is greater than two percent (2%) less than the amount provided for the immediate previous fiscal year, the division shall not further implement the productivity-based funding model until the following fiscal year.

History. Acts 2017, No. 148, § 1; 2019, No. 910, §§ 1979, 1980.
Amendments. The 2019 amendment substituted “Division of Higher Educa-

tion” for “Department of Higher Education” in (a)(1)(A); and substituted “division” for “department” in (d) through (f).

SUBCHAPTER 3 — ESTABLISHMENT AND EXPANSION

- SECTION.
6-61-301. Incorporation generally.
6-61-302. Incorporation and certification
— Advisory committee.
6-61-303. Expansion of institutions.
6-61-304. Review of existing programs of
higher education.

- SECTION.
6-61-305. Encouragement of participa-
tion by private institu-
tions.
6-61-306. [Repealed.]

Effective Dates. Acts 1977, No. 560, § 30; Mar. 21, 1977. Emergency clause provided: “It has been found and is hereby determined by the General Assembly that comprehensive planning for post-secondary education in Arkansas must be given greater emphasis. Further delay would possibly affect the educational opportunities available to citizens of the State and the quality of these opportunities. Therefore, an emergency is declared to exist, and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval.”
Acts 1997, No. 250, § 258; Feb. 24, 1997. Emergency clause provided: “It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.”

Acts 2003, No. 1473, § 74; July 1, 2003. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act includes technical corrects to Act 923 of 2003 which establishes the classification and compensation levels of state employees covered by the provisions of the Uniform Classification and Compensation Act; that Act 923 of 2003 will become effective on July 1, 2003; and that to avoid confusion this act must also effective on July 1, 2003. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003.”
Acts 2017, No. 565, § 29; Mar. 22, 2017. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act will create more efficient regulation of private career education; and that this act is immediately necessary to provide Arkansas citizens seeking private career education the consumer protection services they need. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”
Acts 2019, No. 910, § 6346(b); July 1, 2019. Emergency clause provided: “It is

found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secre-

taries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

RESEARCH REFERENCES

Am. Jur. 15A Am. Jur. 2d, Colleges & U., § 3.

C.J.S. 14A C.J.S., Colleges & U., §§ 2-5.

6-61-301. Incorporation generally.

(a)(1)(A) An individual shall incorporate under the applicable laws of the state and receive certification from the Arkansas Higher Education Coordinating Board before offering educational coursework leading to a degree or before establishing a postsecondary educational institution unless the institution is a:

- (i) State-supported institution of higher education;
- (ii) School under § 6-51-601 et seq.;
- (iii) School exempt from this subchapter; or
- (iv) School regulated by the Cosmetology Technical Advisory Committee.

(B) A postsecondary education institution located in another state first shall obtain certification from the Arkansas Higher Education Coordinating Board before offering a course or degree in this state unless the institution is a:

- (i) School under § 6-51-601 et seq.;
- (ii) School exempt from this subchapter; or
- (iii) School regulated by the Cosmetology Technical Advisory Committee.

(C) A postsecondary education institution in this state shall first obtain certification from the Arkansas Higher Education Coordinating Board before offering courses that lead to a degree that is customarily granted by colleges or universities.

(2) State-supported vocational and technical schools, institutions covered under § 6-51-601 et seq., or institutions regulated by the Cosmetology Technical Advisory Committee shall obtain approval for programs in which a degree could be granted from both the Arkansas Higher Education Coordinating Board and the State Board of Education.

(3) Nonpublic, not-for-profit colleges and universities currently incorporated, recognized by the Arkansas Higher Education Coordinating Board as Arkansas independent institutions of higher education, and

operating under the applicable laws of this state shall not be required to receive certification from the Arkansas Higher Education Coordinating Board or to receive licensure from the Division of Higher Education under § 6-51-601 et seq.

(b)(1) The Arkansas Higher Education Coordinating Board shall establish the criteria required for certification and may promulgate rules to carry out the provisions of this chapter.

(2) The Arkansas Higher Education Coordinating Board shall not grant certification to an individual or postsecondary education institution under subdivision (a)(1) of this section unless the individual or postsecondary education institution is:

(A) Accredited by an entity recognized by the United States Department of Education;

(B) Accredited by an entity recognized by the Council for Higher Education Accreditation;

(C) A candidate for accreditation from an entity recognized by the United States Department of Education or the Council for Higher Education Accreditation during the institutional planning and development period; or

(D) An applicant for accreditation from an entity recognized by the United States Department of Education or the Council for Higher Education Accreditation during the institutional planning and development application process.

(c) An individual or postsecondary institution that operates in the state without certification from the Arkansas Higher Education Coordinating Board as required under subsection (a) of this section shall be guilty of a Class B misdemeanor.

(d)(1) To secure legal existence by act of incorporation, the individuals desiring to become a corporation as trustees of a college, university, or other postsecondary institution shall prepare a charter for the proposed institution and shall present the charter to the Arkansas Higher Education Coordinating Board.

(2) If the Arkansas Higher Education Coordinating Board determines that the charter is in accordance with the provisions of the laws of the State of Arkansas and the rules of the Arkansas Higher Education Coordinating Board, the Arkansas Higher Education Coordinating Board shall issue to the trustees a certificate appended to a copy of the charter with the Great Seal of the State of Arkansas attached.

(3) The certificate shall state that the accompanying charter is granted to the trustees, that they have complied with the provisions of law, and that they are thereby constituted the board of directors of that institution and invested with all powers prescribed in the charter.

(4) A copy of the charter and certificate shall be filed with the Secretary of State and recorded by him or her in a book to be kept for that purpose.

(5) The Arkansas Higher Education Coordinating Board shall have the power, after giving thirty (30) days' notice in writing to the trustees

to show cause why such action should not be taken, to revoke any certification issued by the Arkansas Higher Education Coordinating Board whenever the Arkansas Higher Education Coordinating Board shall find, after proper investigation, that the institution is conferring degrees or diplomas without requiring sufficient work therefor or is in violation of any of the provisions of the laws of this state or the rules of the Arkansas Higher Education Coordinating Board relative thereto.

History. Acts 1911, No. 375, § 9; 1975, No. 903, §§ 1-6; 1977, No. 560, § 5; A.S.A. 1947, § 80-4905; Acts 2005, No. 1994, § 388; 2011, No. 205, § 2; 2017, No. 565, § 21; 2019, No. 315, § 368; 2019, No. 910, § 1981.

Amendments. The 2017 amendment substituted "Department of Higher Education under § 6-51-601 et seq." for "Ar-

kansas State Board of Private Career Education" at the end of (a)(3).

The 2019 amendment by No. 315 substituted "rules" for "regulations" in (d)(5).

The 2019 amendment by No. 910 substituted "Division of Higher Education" for "Department of Higher Education" in (a)(3).

CASE NOTES

Exceptions to Certification Requirements.

Writ of mandamus was properly denied where a church and its affiliated university sought an exception from the certification requirements of the Arkansas Department of Higher Education, as the church could have brought a declaratory

action to determine whether or not the exception for programs that were predominantly religious in nature applied, and that was a determination for the Arkansas Higher Education Coordinating Board. *Axley v. Hardin*, 353 Ark. 529, 110 S.W.3d 766 (2003).

6-61-302. Incorporation and certification — Advisory committee.

(a) To assist the Arkansas Higher Education Coordinating Board in its responsibilities regarding incorporation and certification of postsecondary educational institutions, the board shall appoint an advisory committee.

(b) The advisory committee shall include:

(1) Two (2) nonpublic postsecondary education institution chief administrators;

(2) Two (2) public postsecondary education institution chief administrators;

(3) Two (2) chief administrators of proprietary schools that are licensed under § 6-51-601 et seq.;

(4) The Director of the Division of Career and Technical Education or his or her designated representative; and

(5) Two (2) legal residents of the state who are not officially affiliated with any postsecondary institution in any state as an employee or board member or in any other capacity.

(c) The members shall serve nine-year terms.

(d) Members shall serve without compensation but may be reimbursed for expenses in accordance with § 25-16-901 et seq.

History. Acts 1975, No. 903, § 4; 1977, No. 560, § 5; A.S.A. 1947, § 80-4905; Acts 1997, No. 250, § 26; 2003, No. 1473, § 6; 2019, No. 910, § 1982.

Amendments. The 2019 amendment substituted "Division of Career and Technical Education" for "Department of Career Education" in (b)(4).

6-61-303. Expansion of institutions.

(a) The General Assembly recognizes the necessity of the state having an orderly and planned system of higher education and determines that the Arkansas Higher Education Coordinating Board should establish reasonable and necessary criteria and factors to be used in determining and controlling the expansion of existing state-supported institutions of higher education and community college programs, in order to prevent an overextension of the state's resources or unnecessary duplication of programs or facilities.

(b)(1) The board is authorized to promulgate and adopt reasonable rules, criteria, guidelines, and standards to be followed by the respective state-supported institutions of higher education and to be applied by the board with respect to the planning, establishment, location, or development of any branch campus of the existing state-supported institutions of higher education or community colleges.

(2) The standards, rules, criteria, and guidelines shall be developed and approved after public hearings held by the board in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(3) Upon the development and adoption thereof, the standards, rules, criteria, and guidelines shall be followed by the board in reviewing, rejecting, or approving the establishment and location of all future branch campuses of existing state-supported institutions of higher education or community colleges.

(c)(1) Each state-supported institution of higher education and community college desiring to establish a branch campus or program shall present to the board a request in writing to establish the branch campus or program, outlining the justifications and reasons therefor.

(2) The board shall review the application in accordance with the standards, rules, criteria, and guidelines promulgated by the board and may grant the application only if the establishment of a branch campus is within these guidelines and standards.

(3) If the board rejects the application, the institution shall not establish the branch campus or program.

History. Acts 1977, No. 560, § 6; A.S.A. 1947, § 80-4906; Acts 2019, No. 315, §§ 369, 370.

deleted "regulations" following "rules" three times in (b); and deleted "and regulations" following "rules" in (c)(2).

Amendments. The 2019 amendment

6-61-304. Review of existing programs of higher education.

In order to provide for the orderly development, coordination, financing, and expansion of the higher education program of this state, the Division of Higher Education shall review the existing programs of higher education in this state and assist in the orderly development and

expansion of higher education in this state in accordance with the procedures outlined in this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-303, § 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed].

History. Acts 1977, No. 560, § 1; A.S.A. 1947, § 80-4901; Acts 2019, No. 910, § 1983.

Amendments. The 2019 amendment

substituted "Division of Higher Education" for "Department of Higher Education".

6-61-305. Encouragement of participation by private institutions.

The Division of Higher Education staff and the Arkansas Higher Education Coordinating Board shall invite and encourage the participation of private colleges and universities, proprietary schools, and all other postsecondary institutions in Arkansas in planning for the programs of education beyond high school.

History. Acts 1977, No. 560, § 27; A.S.A. 1947, § 80-4927; Acts 2019, No. 910, § 1984.

Amendments. The 2019 amendment

substituted "Division of Higher Education" for "Department of Higher Education".

6-61-306. [Repealed.]

Publisher's Notes. This section, concerning the Occupational Education Advisory Committee, was repealed by Acts

1991, No. 343, § 10. The section was derived from Acts 1977, No. 560, § 26; A.S.A. 1947, § 80-4926.

SUBCHAPTER 4 — GRANT PROGRAMS

SECTION.

6-61-401. State Student Incentive Grant Program.

6-61-402. Contracts and cooperation with Southern Regional Education Board.

Effective Dates. Acts 1977, No. 560, § 30: Mar. 21, 1977. Emergency clause provided: "It has been found and is hereby determined by the General Assembly that comprehensive planning for post-secondary education in Arkansas must be given greater emphasis. Further delay would possibly affect the educational opportunities available to citizens of the State and the quality of these opportunities. Therefore, an emergency is declared to exist, and this Act, being necessary for the pres-

ervation of the public peace, health and safety, shall be in effect from and after its passage and approval."

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections

of this act other than the two uncodified sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of

the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-61-401. State Student Incentive Grant Program.

(a) The Division of Higher Education, in accordance with policy established by the Arkansas Higher Education Coordinating Board, shall administer the federal State Student Incentive Grant Program.

(b)(1) The board is authorized, empowered, and directed to prepare and submit an application for federal funds to support the State Student Incentive Grant Program under this federal act and, upon the approval thereof, to administer the State Student Incentive Grant Program and otherwise to do, or cause to be done, all things and acts of every nature which are necessary or desirable:

(A) To meet and comply with all requirements of the federal act, regulations pursuant to the federal act, and regulations of the departments and agencies of the United States that administer the federal act;

(B) To administer the State Student Incentive Grant Program; and

(C) To obtain and utilize or cause to be utilized all grants, funds, and benefits to which the State of Arkansas or students in attendance at state and private colleges and universities or other postsecondary institutions of education are entitled under the federal act.

(2) Specifically, but without limiting any other authority, powers, or duties as assigned in this section, the board is authorized, empowered, and directed to operate the State Student Incentive Grant Program and to make and cancel grants to individual students according to rules of the board.

(c)(1) This section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-402, §§ 6-61-501 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed] shall be liberally construed in order that the State of Arkansas and students in attendance at state and private colleges and universities and other postsecondary institutions of education which are entitled to benefits under the federal act may receive fully and promptly all benefits conferred and intended by the federal act and this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-402, §§ 6-61-501 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed] and that the intended public benefits and purposes be achieved and accomplished.

(2) This section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-402, §§ 6-61-501 — 6-61-524, §§ 6-61-

601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed] shall be liberally construed as being supplemental to any existing purposes and powers of the board in order that it may accomplish in the most expeditious and efficient manner the purposes and intent of the federal act for this state.

History. Acts 1977, No. 560, § 21; A.S.A. 1947, § 80-4921; Acts 2019, No. 315, § 371; 2019, No. 910, § 1985.

Amendments. The 2019 amendment by No. 315 deleted “and regulations” following “rules” in (b)(2).

The 2019 amendment by No. 910 substituted “Division of Higher Education”

for “Department of Higher Education” in (a).

U.S. Code. The State Student Incentive Grant Program referred to in this section is codified as 20 U.S.C. § 1070c et seq.

6-61-402. Contracts and cooperation with Southern Regional Education Board.

(a)(1) The boards of trustees of the state-supported senior colleges and universities and the community colleges which presently exist and those which will be established are authorized to cooperate or enter into contracts with the Southern Regional Education Board in order that students from states comprising the Southern Regional Education Board area may attend Arkansas state-supported institutions through the Academic Common Market while paying the same level of student fees as an Arkansas resident.

(2) Participation shall be authorized only after the program of the Arkansas institution is classified as an uncommon program of the region by the Southern Regional Education Board staff and final approval is granted by the Arkansas Higher Education Coordinating Board.

(b) The Arkansas Higher Education Coordinating Board is authorized to cooperate, or enter into contracts, with the Southern Regional Education Board or institutions of higher education in order that Arkansas residents shall participate in uncommon programs in other states of the Southern Regional Education Board area through the Academic Common Market.

(c) The Division of Higher Education staff, at the direction of the Arkansas Higher Education Coordinating Board, is empowered to conduct necessary administrative duties in connection with this program.

History. Acts 1977, No. 560, § 22; A.S.A. 1947, § 80-4922; Acts 2019, No. 910, § 1986.

A.C.R.C. Notes. The Board of Control for Southern Regional Education referred to in this section also uses the name “Southern Regional Education Board”.

Acts 2013, No. 1397, § 41, provided: “SREB MINORITY DOCTORAL SCHOL-

ARS PROGRAM REGULATIONS. The Department of Higher Education is authorized to promulgate rules and regulations for the administration of the Southern Regional Education Board (SREB) Minority Doctoral Scholars program.”

Acts 2014, No. 104, § 41, provided: “SREB MINORITY DOCTORAL SCHOLARS PROGRAM REGULATIONS. The

Department of Higher Education is authorized to promulgate rules and regulations for the administration of the Southern Regional Education Board (SREB) Minority Doctoral Scholars program."

Amendments. The 2019 amendment

substituted "Division of Higher Education" for "Department of Higher Education" in (c).

Cross References. Southern Regional Education Compact, § 6-4-101 et seq.

SUBCHAPTER 5 — COMMUNITY COLLEGES GENERALLY

SECTION.

- 6-61-501. Definitions.
- 6-61-502. Establishment authorized.
- 6-61-503. Millage tax.
- 6-61-504. Division of Community Junior Colleges created.
- 6-61-505. State Community College Board.
- 6-61-506. Administration of funds.
- 6-61-507. Formation of districts — Feasibility study.
- 6-61-508. Formation of district — Minimum requirements for establishment.
- 6-61-509. Formation of district — Limitation on number.
- 6-61-510. Formation of district — Election — Petition.
- 6-61-511. Formation of district — Election — Notification to county board of election commissioners.
- 6-61-512. Formation of district — Election — Date.
- 6-61-513. Formation of district — Election — Ballot.
- 6-61-514. Formation of district — Election — Conduct.
- 6-61-515. Formation of district — Election — Results.
- 6-61-516. Formation of district — Election — Reconstituted district.
- 6-61-517. Formation of district — Ad valorem taxes.

SECTION.

- 6-61-518. Reconstituted districts.
- 6-61-519. Dissolution of district — Reduction or repeal of tax.
- 6-61-520. Local boards — Establishment — Members.
- 6-61-521. Local boards — Powers and duties.
- 6-61-522. Limitations on operations.
- 6-61-523. Student fees.
- 6-61-524. Agreements for sharing of facilities, personnel, and services.
- 6-61-525. Housing allowance.
- 6-61-526. [Repealed.]
- 6-61-527. [Repealed.]
- 6-61-528. University Center of Arkansas Northeastern College — Definitions.
- 6-61-529. Local boards — Appointment or election of members.
- 6-61-530. Local boards — School district representation.
- 6-61-531. Arkansas Heavy Equipment Operator Training Academy — Establishment.
- 6-61-532. Arkansas Heavy Equipment Operator Training Academy — Operation.
- 6-61-533. Arkansas Heavy Equipment Operator Training Academy — Funding.
- 6-61-534. Southeast Arkansas College — Priorities.

A.C.R.C. Notes. Acts 1991, No. 595, § 10, provided: "The Garland County Community College shall be exempt from the provisions of Arkansas Code 19-4-1707 to the extent that the Garland County Community College shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions

regarding the awarding of grants or contracts, and providing that the term of their employment with the Garland County Community College does not exceed 25% of that required for a full-time employee."

Acts 1991, No. 597, § 6, provided: "The East Arkansas Community College shall be exempt from the provisions of Arkansas Code 19-4-1707 to the extent that the East Arkansas Community College shall

be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the East Arkansas Community College does not exceed 25% of that required for a full-time employee."

Acts 1991, No. 598, § 10, provided: "The Mississippi County Community College shall be exempt from the provisions of Arkansas Code 19-4-1707 to the extent that the Mississippi County Community College shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the Mississippi County Community College does not exceed 25% of that required for a full-time employee."

Acts 1991, No. 641, § 12, provided: "The Northwest Arkansas Community College shall be exempt from the provisions of Arkansas Code 19-4-1707 to the extent that the Northwest Arkansas Community College shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the Northwest Arkansas Community College does not exceed 25% of that required for a full-time employee."

Acts 1991, No. 642, § 5, provided: "The Phillips County Community College shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the Phillips County Community College shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the Phillips County Community College does

not exceed 25% of that required for a full-time employee."

Acts 1991, No. 1119, § 6 provided: "The Westark Community College shall be exempt from the provisions of Arkansas Code 19-4-1707 to the extent that Westark Community College shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with Westark Community College does not exceed 25% of that required for a full-time employee."

Acts 1991, No. 1122, § 11 provided: "The North Arkansas Community College shall be exempt from the provisions of Arkansas Code 19-4-1707 to the extent that the North Arkansas Community College shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the North Arkansas Community College does not exceed 25% of that required for a full time employee."

Effective Dates. Acts 1977, No. 560, § 30: Mar. 21, 1977. Emergency clause provided: "It has been found and is hereby determined by the General Assembly that comprehensive planning for post-secondary education in Arkansas must be given greater emphasis. Further delay would possibly affect the educational opportunities available to citizens of the State and the quality of these opportunities. Therefore, an emergency is declared to exist, and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval."

Acts 1989 (1st Ex. Sess.), No. 37, § 10: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are

provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1989 (1st Ex. Sess.), No. 48, § 9: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1989 (1st Ex. Sess.), No. 130, § 9: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1989 (1st Ex. Sess.), No. 203, § 10: July 1, 1989. Emergency clause provided:

"It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1989 (1st Ex. Sess.), No. 245, § 9: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1989 (1st Ex. Sess.), No. 252, § 13: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental pro-

grams. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1989 (1st Ex. Sess.), No. 262, § 11: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1991, No. 641, § 13: July 1, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1991 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1991 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1991."

Acts 1992 (1st Ex. Sess.), No. 65, § 9: Mar. 20, 1992. Emergency clause provided: "It is hereby found and declared by the General Assembly that community college districts in this state have an immediate need to finance capital improvements and that existing laws must be clarified in order to insure the use of those

laws to accomplish the same. Therefore, an emergency is hereby declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1993, No. 765, § 13: July 1, 1993. Emergency clause provided: "It is hereby found and determined by the Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1993 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1993 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1993."

Acts 1995, No. 70, § 9: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly, that changes in various accounting and expenditure provisions of the State are necessary in order to promote efficiency; and that the provisions of this Act provide such changes. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

Acts 1995, No. 1349, § 5: became law without Governor's signature. Noted Apr. 19, 1995. Emergency clause provided: "It is hereby found and determined by the General Assembly of the State of Arkansas that any delay in the effective date of this act could work irreparable harm to the continuity of the 1995-96 academic year and, consequently, to students enrolled in community colleges throughout the state of Arkansas. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health,

and safety, shall be in full force and effect from and after its passage and approval.”

Acts 2003, No. 683, § 4: July 1, 2003. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the failure to establish the Arkansas Heavy Equipment Operator Training Academy as a single-source academy under the South Arkansas Community College will result in the expiration of the academy’s training program and in the academy’s inability to finish training its currently enrolled students; that the Arkansas Constitution prohibits the appropriation of funds for more than a two (2) year period; that it is essential to the operation of the academy that this become effective on July 1, 2003; and that in the event of an extension of the Regular Session, a delay in the effective date of this act beyond July 1, 2003, could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003.”

Acts 2003, No. 1473, § 74: July 1, 2003. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act includes technical corrects to Act 923 of 2003 which establishes the classification and compensation levels of state employees covered by the provisions of the Uniform Classification and Compensation Act; that Act 923 of 2003 will become effective on July 1, 2003; and that to avoid confusion this act must also effective on July 1, 2003. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003.”

Acts 2005, No. 1010, § 2: Mar. 18, 2005. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the failure of the Arkansas Heavy Equipment Operator Training Academy as a single-source academy under the University of Arkansas at Monticello could result in the academy’s inability to finish training its currently enrolled students; that the changes in this act are essential to the continued efficient operation of the academy. Therefore, an

emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

Acts 2007, No. 819, § 4: Apr. 2, 2007. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the failure of the Arkansas Heavy Equipment Operator Training Academy as a single-source academy under the University of Arkansas at Monticello could result in the academy’s inability to finish training its currently enrolled students; and that the changes in this act are immediately necessary for the continued efficient operation of the academy. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

Acts 2009, No. 1480, § 117: Apr. 10, 2009. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act makes various revisions to Arkansas election laws that are designed to improve the administration of elections and special elections and that these revisions should be implemented as soon as possible so that the citizens of this state may benefit from improved election procedures. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

Acts 2011, No. 1082, § 8: July 1, 2011. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2011 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2011 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2011."

Acts 2011, No. 1185, § 21: Oct. 2, 2011.

Acts 2015, No. 955, § 5: Apr. 2, 2015. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that there are pending mergers involving community colleges; that this act is necessary to facilitate the pending mergers of community colleges; and that this act is immediately necessary because the merger will be finalized before this act would become effective without an emergency clause. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor

and the veto is overridden, the date the last house overrides the veto."

Acts 2019, No. 597, § 10: July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that there is a need for uniform candidate filing and petition circulation periods; that if there is a delay in implementation, some candidate filing and petition circulation periods may be disrupted by the change in the middle of a candidate's campaign; and that this act should become effective before candidates begin circulating petitions and filing for candidacy in the 2019 November annual school elections. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

CASE NOTES

Immunity.

Because Arkansas calls North Arkansas Community Technical College a State agency, allows for substantial local autonomy but provides ultimate state control, and — most importantly — funds the agency's general operations primarily

from the State Treasury, the college is entitled to Eleventh Amendment immunity. *Hadley v. North Ark. Cmty. Tech. College*, 76 F.3d 1437 (8th Cir. 1996), cert. denied, 519 U.S. 1148, 117 S. Ct. 1080, 137 L. Ed. 2d 215 (1997).

6-61-501. Definitions.

As used in this section, §§ 6-61-502 — 6-61-524, and §§ 6-61-601 — 6-61-603, unless the context otherwise requires:

(1) “Capital outlay expense” means those funds devoted to or required for the:

- (A) Acquisition and improvement of land;
- (B) Acquisition, construction, remodeling, alteration, addition, or enlargement of buildings or other structures; and
- (C) Initial purchase of furniture, apparatuses, and other equipment;

(2) “Community college” means an educational institution established or to be established by one (1) or more counties or cities of this state offering a comprehensive program designed to serve the postsecondary educational needs of its district and the state including specifically, but without limitation, occupational programs of varying types and levels of difficulty, the first two (2) years of a baccalaureate degree, community service offerings, and student guidance and counseling services;

(3) “District” means the geographic area included within one (1) or more contiguous or noncontiguous counties or cities, or any described combination thereof, or any described contiguous area which may be in one (1) or more counties or parts of counties, participating in or intending to participate in the establishment and maintenance of a community college;

(4)(A) “Local board” means the governing body of a community college established pursuant to the provisions of this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-502 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed].

(B) A local board for a community college may be the board of trustees of a four-year institution of higher education or the board of trustees of a university system in the case of a merger under § 6-61-520(e);

(5) “Operating expense” means those funds devoted to or required for the regular or ordinary expense of the college, including administrative, maintenance, and salary expenses, but excluding capital outlay expenses, student activity expenses, and expenses for intercollegiate athletics; and

(6) “State Community College Board” means the Arkansas Higher Education Coordinating Board.

History. Acts 1977, No. 560, § 7; A.S.A. 1947, § 80-4907; Acts 1991, No. 336, § 1; 1991, No. 354, § 1; 2015, No. 955, § 2.

Cross References. Consolidations and mergers, § 6-60-102.

CASE NOTES

Cited: Hadley v. North Ark. Cmty. Tech. College, 76 F.3d 1437 (8th Cir. 1996).

6-61-502. Establishment authorized.

Pursuant to the authority granted by Arkansas Constitution, Amendment 52, there is authorized the establishment of community college districts to be formed, financed, and governed as provided in this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, § 6-61-501, §§ 6-61-503 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed].

History. Acts 1977, No. 560, § 8; A.S.A. 1947, § 80-4908.

6-61-503. Millage tax.

(a) The tax authorized to be levied under Arkansas Constitution, Amendment 52, shall not exceed ten (10) mills on the taxable real and personal property of the district.

(b) The millage approved by the electors shall be a continuing levy until reduced as provided in this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, § 6-61-501, § 6-61-502, §§ 6-61-504 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed].

History. Acts 1977, No. 560, § 8; A.S.A. 1947, § 80-4908.

6-61-504. Division of Community Junior Colleges created.

The Director of the Division of Higher Education shall establish a separate Division of Community Junior Colleges within the Division of Higher Education.

History. Acts 1977, No. 560, § 19; substituted "Division of Higher Education" for "Department of Higher Education" twice. A.S.A. 1947, § 80-4919; Acts 2019, No. 910, § 1987.

Amendments. The 2019 amendment

6-61-505. State Community College Board.

(a) The Arkansas Higher Education Coordinating Board is authorized to act and shall act as the statewide coordinating board for the community colleges established in conformity with this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, §§ 6-61-212 — 6-61-216,

§§ 6-61-301 — 6-61-305, § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-504, §§ 6-61-506 — 6-61-524, and §§ 6-61-601 — 6-61-603.

(b) When the Arkansas Higher Education Coordinating Board is acting as the State Community College Board, the Commissioner of Elementary and Secondary Education shall be an ex officio nonvoting member of that Arkansas Higher Education Coordinating Board.

(c) The State Community College Board shall have the following duties and powers:

(1)(A) It shall function as the coordinating agency between the community colleges, the public schools, the universities, the state colleges, and the other educational institutions in Arkansas.

(B) In relation to the senior institutions of the state, it shall work with them and with the community colleges to develop the criteria for transfer of credits of students entering senior institutions from community colleges;

(2)(A) It shall set forth the criteria in conformity with, but not limited to, the provisions of § 6-61-507 and §§ 6-61-510 — 6-61-519 for the establishment of community college districts.

(B) In addition to the specific requirements set forth in this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-504, §§ 6-61-506 — 6-61-524, and §§ 6-61-601 — 6-61-603, the criteria shall provide for the size and location of sites for the proposed community college, the nature and extent of the program, and the size and type of buildings required;

(3) It shall develop objective criteria for the determination of the requirements in § 6-61-508;

(4) It shall upon request of a citizens' group develop a tentative budget to determine the annual cost of the operation;

(5) It shall act in an advisory capacity concerning changes and expansion of the overall program for community colleges and the program for each community college;

(6) It shall develop a uniform budget format and accounting and reporting procedures to be used by all community colleges;

(7) It shall, with the Legislative Joint Auditing Committee, determine that state funds are used in conformity with the grants of the funds; and

(8)(A)(i) It shall develop criteria for determining if an institution is adequately comprehensive.

(ii) In developing criteria to determine if an institution is adequately comprehensive, the State Community College Board shall require that each community college fulfill all aspects of the definition of a community college as contained in § 6-61-501 and shall specifically provide for occupational programs that do not require academic transfer courses for completion.

(B) It must make an annual determination, and may do so more often, as to whether each community college is adequately comprehensive or is becoming adequately comprehensive.

(C) If it is determined that any community college is not adequately comprehensive and is not becoming adequately comprehensive, that institution shall not be eligible for state funds until it has corrected the deficiencies and has received a favorable determination by the State Community College Board.

(d) In furtherance of the purposes of this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-504, §§ 6-61-506 — 6-61-524, and §§ 6-61-601 — 6-61-603 and in addition to the powers and duties vested in the State Community College Board, the State Community College Board shall have authority to make agreements with agencies of this state, the United States Government, and political subdivisions of this state, and their institutions and agencies, not inconsistent with the Arkansas Constitution and laws of the State of Arkansas, when these agreements are to the advantage of the State of Arkansas in the furtherance of the state community college program as authorized by law.

History. Acts 1977, No. 560, §§ 9, 17; A.S.A. 1947, §§ 80-4909, 80-4917; Acts 1999, No. 478, § 5; 2019, No. 910, § 1988.

Amendments. The 2019 amendment, in (b), substituted “Arkansas Higher Education Coordinating Board” for “board”

twice, and “Division of Elementary and Secondary Education” for “Department of Education”.

Cross References. Audit of educational institutions, § 6-1-101.

CASE NOTES

Cited: Hadley v. North Ark. Cmty. Tech. College, 76 F.3d 1437 (8th Cir. 1996).

6-61-506. Administration of funds.

(a) All federal and other funds provided to the state for support of community colleges and vocational and technical education in community colleges shall be administered by the State Community College Board.

(b) In the event there are legal requirements that the funds be granted to another agency of the state, that other agency shall contract with the board for the administration of the funds under the appropriate conditions.

History. Acts 1977, No. 560, § 17; A.S.A. 1947, § 80-4917.

6-61-507. Formation of districts — Feasibility study.

Upon request of a citizens' group representing a proposed community college district, the State Community College Board shall assist in the study of the proposed district to determine whether its formation would meet the requirements of this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216,

§§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-506, §§ 6-61-508 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed] and the criteria established by the board for the formation of the district. As provided in § 6-61-505, the board shall make all necessary studies to determine the feasibility of the proposed district.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-508. Formation of district — Minimum requirements for establishment.

Prior to the calling of an election for the establishment of a community college district, the State Community College Board must certify that the proposed college will meet the following requirements:

(1) **SITE:** That a site which meets the criteria established by the board is available;

(2) **STUDENTS:** That by objective analysis and projection the full-time student equivalent would be a minimum of three hundred (300) at the fall enrollment of the third year of operation;

(3) **LOCAL INCOME:** That the assessment for ad valorem tax purposes of the proposed district, as published by the Assessment Coordination Division, at the millage rate proposed would produce sufficient income for the district to discharge its financial obligation as required in this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-507, §§ 6-61-509 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed]. However, a district may be created without a local millage by following all applicable provisions of the law if it is demonstrated to the board that all capital costs of the district required to provide an adequate comprehensive program will be met without a local millage, at least during the first five (5) years that instruction is offered by the district, through available existing facilities, contributions already secured or committed to the satisfaction of the board, establishment of a permanent endowment fund, or through any other method or any combination of methods; and

(4) **SIZE OF DISTRICT:** The size of the district shall be such that all students within the district are within commuting distance of the college.

History. Acts 1977, No. 560, § 13;
A.S.A. 1947, § 80-4913.

6-61-509. Formation of district — Limitation on number.

(a)(1) No certificate of feasibility for the formation of a community college district in excess of eight (8) locations in Arkansas as authorized

by Acts 1973, No. 103, § 5(b) [repealed], shall be issued by the State Community College Board.

(2) It is the specific intent of this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-508, §§ 6-61-510 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed] to provide that the authority of the board to create an unlimited number of community colleges under Acts 1973, No. 103, is repealed, and no other interpretation shall be given to this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-508, §§ 6-61-510 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed].

(b) In computing the maximum of eight (8) community college districts permitted under this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-508, §§ 6-61-510 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed], auxiliary locations which may or may not establish additional taxing units but are included as a part of a community college district previously established shall be counted as a separate community college district.

(c) The General Assembly shall be the sole authority for creating community college districts subsequent to the creation of a maximum of eight (8), as stated elsewhere in this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-508, §§ 6-61-510 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed], by the board.

History. Acts 1977, No. 560, § 18;
A.S.A. 1947, § 80-4918.

6-61-510. Formation of district — Election — Petition.

(a) Upon certification of the State Community College Board that the formation of the proposed district is feasible and would conform to the requirements of this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-509, §§ 6-61-511 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed], qualified electors of the proposed district may, by petition, have an election called to determine whether the district shall be formed.

(b)(1) The petition calling for such an election shall be signed by not less than ten percent (10%) of the qualified electors of the district, based upon the total number of votes cast therein for all candidates for the Office of Governor in the last general election.

(2) Where there is more than one (1) county or city in a proposed district, the petitions shall include signatures of not less than ten percent (10%) of the qualified electors of each county or city, and the aggregate of the signatures shall represent not less than ten percent (10%) of the qualified electors of the entire proposed district as determined by the total votes cast for all candidates for the Office of Governor at the last general election in each such county or city.

(3) Signatures shall be separately required from a particular city only if the boundaries of the city are used to describe the district separate from the boundaries of the county in which the city is located.

(c) The petitions calling for the special election shall describe the area of the proposed district, the proposed maximum rate of millage to be levied for the support of the district, if any, and the millage that may be pledged for bonded indebtedness purposes of the district.

(d) The petition shall be filed with the Secretary of State.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-511. Formation of district — Election — Notification to county board of election commissioners.

Within ten (10) days of the receipt and verification by the Secretary of State of the sufficiency of the petitions, he or she shall notify the county board of election commissioners of each county of which any portion is in the proposed community college district that an election shall be held in the area described in the petition, as certified by the Secretary of State, to determine whether the district shall be formed.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-512. Formation of district — Election — Date.

The date of the election shall be set by the Secretary of State in accordance with § 7-11-201 et seq.

History. Acts 1977, No. 560, § 11; 2145, § 8; 2007, No. 1049, § 10; 2009, No. A.S.A. 1947, § 80-4911; Acts 2005, No. 1480, § 10.

6-61-513. Formation of district — Election — Ballot.

(a) The State Community College Board shall specify the wording of the ballot to be used for each election to create a community college district utilizing appropriate language similar to that provided in subdivision (c)(1) of this section.

(b)(1) The ballot for the election shall state the purpose of the election, giving the names of the counties or cities in the proposed district, the proposed rate of ad valorem tax to be voted upon, if any, and the purposes for which such tax shall be used, including the amount thereof which may be pledged for bonded indebtedness purposes.

(2) A city shall be listed separately only if the boundaries of the city are used to describe the district separate from the boundaries of the county in which the city is located.

(c)(1) The form of the ballot may be as follows:

Vote FOR or AGAINST the establishment of a community college district to be composed of, (This includes authorizing the levy of a tax not to exceed mills on the dollar of the assessed value of the taxable property of the district (to be used for the support of such community college) and authorizing the pledging of mills of the aforementioned tax for the issuance of bonds to provide all or part of the funds for the construction and furnishing of buildings and facilities for such college.)

☐ FOR the establishment of a community college district.

☐ AGAINST the establishment of a community college district.

(2) The material enclosed in parentheses is inserted if a local tax is to be voted on and deleted if no local tax is to be voted on.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-514. Formation of district — Election — Conduct.

The election shall be conducted by the county board of election commissioners in the manner provided by law for special elections, and the ballots shall be marked by each elector, and the returns thereof shall be tabulated, certified, and reported as provided by law.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-515. Formation of district — Election — Results.

(a)(1) If a majority of the qualified electors of the proposed district voting thereon at such election shall vote for the establishment of the district, the district shall be established in the manner provided in this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-514, §§ 6-61-516 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed].

(2) If a majority of the qualified electors of the proposed district voting thereon at the election vote against the establishment of the district, the district shall not be established, and no new election for the establishment thereof shall be held for a period of one (1) year thereafter.

(3) However, if the proposed district includes more than one (1) county or city, the majority required for the purposes of this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-514, §§

6-61-516 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed] shall include not only a majority of the electors of the proposed district voting on the issue at the election but shall also include a majority of the electors voting on the issue in each county or city of the proposed district, or if the proposed district consists of described contiguous territory in one (1) or more counties or cities, the majority required for the purposes of this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-514, §§ 6-61-516 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed] shall include not only a majority of the electors of the proposed district voting on such issue but shall also include a majority of the electors voting on the issue in the portion of any county or city of the proposed described district.

(b) The vote in a particular city shall be considered separately only if the boundaries of the city are used to describe the district separate from the boundaries of the county in which the city is located.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-516. Formation of district — Election — Reconstituted district.

If the election fails because of an adverse vote in one (1) or more counties or cities in a proposed district of multiple counties or cities, a proposed reconstituted district eliminating the counties or cities which cast the adverse vote in an election may be called within ninety (90) days, provided the State Community College Board certifies that the proposed new district meets all of the criteria for such an election.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-517. Formation of district — Ad valorem taxes.

(a) The ad valorem tax levied by a district, or so much thereof as shall be necessary, shall be a continuing levy until reduced in the manner provided in this subchapter.

(b) The tax shall be collected in the manner provided by law for the collection of county general taxes and promptly remitted to the district.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-518. Reconstituted districts.

(a) When it is proposed that a county or city join an existing community college district, an election may be held in the proposed city or county to be added to determine whether the proposed reconstituted

district shall be established after a petition requesting that the county or city be permitted to join the district has been signed by a committee broadly representative of the county or city to be added and approved by the local board of the existing district.

(b) The procedures for an election to be held in the petitioning county or city to determine whether the proposed reconstituted district shall be formed, including the adoption of the millage tax for support of the community college in effect in the existing district, shall be the same as required in establishing an original community college district.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-519. Dissolution of district — Reduction or repeal of tax.

(a) A community college district may be dissolved or the millage tax voted reduced or repealed, with the exception of the millage required to service any outstanding bonds, upon approval thereof by a majority of the qualified electors of the district voting on the issue at an election called for such purpose.

(b) The question of dissolving the district or reducing or repealing the millage tax shall be submitted to the electors of the district at a special or general election upon petitions therefor if the initiation of petitions calling for the election and the procedures calling for the election shall be in accordance with the requirements set forth in § 6-61-510(b)-(d), § 6-61-511, and § 6-61-512 for the formation of the district.

History. Acts 1977, No. 560, § 11; **Cross References.** Consolidations
A.S.A. 1947, § 80-4911. and mergers, § 6-60-102.

6-61-520. Local boards — Establishment — Members.

(a) The local control of each community college shall be vested in a local board composed of nine (9) members who are residents and qualified electors of the community college district.

(b)(1) All members shall be elected for terms of six (6) years by the qualified electors of the community college district at the general election immediately preceding the expiration of the expiring terms, and the newly elected members shall take office on January 1 next following the date of their election.

(2)(A) However, the election shall be held at the annual school election if the community college district is composed solely of one (1) or two (2) entire school districts, other than any portion of the school district that is in another county, and whose boundary is contiguous with that portion of the school district that is located in the county in which the community college is located.

(B)(i) For those elections held at the annual school election under subdivision (b)(2)(A) of this section, if no more than one (1) person files as a candidate for membership on the local board and the

question of the rate of millage to be levied for the support of the community college district is not on the ballot, the local board, by resolution, may request that the county board of election commissioners open no polling places on election day so that the election shall be conducted by absentee ballot and early voting only.

(ii) If an election held at the annual school election under subdivision (b)(2)(A) of this section is conducted by absentee ballot and early voting only:

(a) The election shall be conducted on a ballot separate from the ballot for the annual school election; and

(b) The local board of the community college shall reimburse the county for the cost of conducting the election by absentee ballot and early voting. The community college shall pay the expenses of the election out of its general operation funds under § 6-61-601.

(c)(1)(A) Candidates for membership on the local board shall run by position and shall be elected on a nonpartisan basis, and there shall be no mark or designation on the ballot indicating the party affiliation of the candidates.

(B) The order in which the names of the respective candidates are to appear on the ballot shall be determined by lot by the county board of election commissioners.

(2) Any person desiring to be a candidate for a position on the local board shall, during the respective filing period set forth in § 6-14-111(e)(1), file a notarized statement of such candidacy with the county clerk of each county of which any portion is in the community college district, in substantially the following form:

“State of Arkansas

County of

I,, being first duly sworn, state that I reside at; that I am a resident and qualified elector of community college district; that I am a candidate for the office of position No. on the local board of such community college, and I hereby request that my name be placed on the ballot as a candidate for such position at the coming general or annual school election.

(Signed)

Subscribed and sworn to before me this day of, 20....

(Signed) _____

Notary Public”.

(3)(A)(i) At the time of filing the statement of candidacy, the candidate shall file a petition containing the signatures of at least twenty-five (25) qualified electors of the district, requesting that the name of the candidate be placed on the ballot as a candidate for the position on the local board.

(ii) If the candidate is unopposed, § 7-5-207 shall apply.

(B) Candidates may begin circulating petitions not earlier than ninety (90) days before the filing deadline under subdivision (c)(2) of this section.

(4)(A) The county board of election commissioners of each county of which a portion is a part of the community college district shall certify the results of the election in that county to the local board of the community college.

(B) The local board of the community college shall officially canvass the returns, declare the candidate elected for each position, and make a record of the election upon its minutes.

(5) The candidate receiving the highest number of votes for each position on the local board to be filled at the election shall be elected to fill the particular position, and it shall not be necessary that the person elected receive a majority of all votes cast for all candidates for such position.

(d)(1) Vacancies on any local board due to death, resignation, or other causes shall be filled by appointment of the Governor.

(2) When the term of office in which the vacancy occurs expires on December 31 of the year in which the next general or annual school election is to be held, the person appointed by the Governor shall serve the remainder of the unexpired term.

(3) When the term of office in which the vacancy occurs extends beyond December 31 of the year in which the next general or annual school election is to be held, the person appointed by the Governor shall serve only until the general or annual school election, at which election a person shall be elected by the qualified electors of the district to fill the remainder of the unexpired term.

(4) When a vacancy occurs, the local board shall officially recognize that the vacancy exists, enter the recognition of the vacancy upon its minutes, and notify the Governor, requesting that he or she make an appointment to fill the vacancy as provided by law.

(5) The Governor shall officially notify the local board of his or her appointment of the new member, which the local board shall enter upon its minutes.

(e)(1) After a merger between a community college and a four-year institution of higher education or a university system, control of the community college may be vested in the board of trustees of the four-year institution of higher education or the board of trustees of the university system.

(2) If the control of the community college is vested in the board of trustees of a four-year institution of higher education or the board of trustees of a university system, the board of trustees shall perform the functions, duties, and responsibilities of the former governing body of the community college and the provision of subsections (a)-(d) of this section and § 6-61-529 do not apply.

(f)(1) After a merger under subsection (e) of this section, the former governing body of the community college may become a board of visitors performing such functions as determined by the board of visitors and the board of trustees of the four-year institution of higher education or the board of trustees of the university system.

(2) The membership of the board of visitors, including the number of members, term of membership, and method of appointment of members

shall be decided by the board of trustees of the four-year institution of higher education or the board of trustees of the university system.

History. Acts 1977, No. 560, § 10; A.S.A. 1947, § 80-4910; Acts 1993, No. 981, § 1; 1999, No. 470, § 1; 2009, No. 1480, § 11; 2011, No. 890, § 1; 2011, No. 1185, § 2; 2015, No. 955, § 3; 2015, No. 967, § 1; 2017, No. 47, § 1; 2019, No. 597, § 5; 2021, No. 349, § 2.

Publisher's Notes. Acts 1977, No. 560, § 10 provides, in part, that the initial members of each local board shall be appointed by the Governor with the advice and consent of the Senate and that the initial board members shall draw lots and position numbers. The section further provides that the terms of the members of each local board are arranged so that three (3) terms expire on December 31 of each even-numbered year.

Amendments. The 2017 amendment redesignated former (c)(1) as (c)(1)(A); de-

leted the former last sentence in (c)(1)(A); and added (c)(1)(B).

The 2019 amendment substituted "during the respective filing period set forth in § 6-14-111(e)(1)" for "not later than 12:00 noon of the seventieth day prior to the annual school election at which the position on the board is to be filled or the eighty-first day before the general election at which the position on the board is to be filled" in the introductory language of (c)(2); redesignated (c)(3) as (c)(3)(A); substituted "the candidate" for "such person" preceding "be placed" in (c)(3)(A); and added (c)(3)(B).

The 2021 amendment added (c)(3)(A)(ii) and redesignated former (c)(3)(A) as (c)(3)(A)(i); and deleted "pay a ballot fee of three dollars (\$3.00) and shall" following "candidate shall" in (c)(3)(A)(i).

CASE NOTES

Cited: *Hadley v. North Ark. Cmty. Tech. College*, 76 F.3d 1437 (8th Cir. 1996).

6-61-521. Local boards — Powers and duties.

The powers and duties of the local board shall be as follows:

- (1) To select its own chair and such other officers as it may deem desirable from among its own membership;
- (2) To adopt and use a seal;
- (3) To determine, with the advice of the Arkansas Higher Education Coordinating Board, the educational program of the community college;
- (4) To appoint and fix the compensation and the term of office of a president or chancellor of the community college;
- (5) To appoint, upon the nomination of the president or chancellor, members of the administrative and teaching staffs and to fix their compensation and terms of employment;
- (6) Upon the recommendation of the president or chancellor, to appoint or employ such other officers, agents, and employees of the community college as may be required to carry out the provisions of this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-520, §§ 6-61-522 — 6-61-524, and §§ 6-61-601 — 6-61-603 and to fix and determine their qualifications, duties, compensation, and terms and conditions of employment;
- (7) To grant diplomas and certificates;
- (8) To enter into contracts;

(9)(A) To accept from any government or governmental agency, from any other public or private body, or from any other source grants or contributions of money or property, which the local board may use for or in aid of any of its purposes.

(B) If acceptance of a grant is conditioned upon the local board's obtaining interim financing from a local financial institution and if the grant makes a provision for the repayment of the interim loan from the grant itself, then the local board is authorized to contract for the required interim financing;

(10) To acquire, own, lease, use, and operate property, whether real, personal, or mixed, which is necessary for purposes of the community college;

(11) To dispose of property owned by the community college which is no longer necessary for purposes of the community college upon such terms and conditions as shall meet the requirements for state agencies;

(12) To exercise the right of eminent domain to condemn property necessary for the use of the community college. The procedure to be followed in the exercise of the right of eminent domain by a local board shall be that prescribed for the boards of trustees of certain state colleges by § 6-62-201;

(13) To make rules not inconsistent with the provisions of this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-520, §§ 6-61-522 — 6-61-524, and §§ 6-61-601 — 6-61-603 or with the rules of the Arkansas Higher Education Coordinating Board as are necessary for the proper administration and operation of the community college; and

(14) To exercise all other powers not inconsistent with the provisions of this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-520, §§ 6-61-522 — 6-61-524, and §§ 6-61-601 — 6-61-603 which may be reasonably necessary to the establishment, maintenance, and operation of a community college.

History. Acts 1977, No. 560, § 10; A.S.A. 1947, § 80-4910; Acts 1999, No. 478, § 6; 2015, No. 955, § 4; 2019, No. 315, § 372.

Amendments. The 2019 amendment deleted "and regulations" following "rules" twice in (13).

6-61-522. Limitations on operations.

(a) Participation of community colleges in intercollegiate athletic programs shall be limited to basketball, volleyball, and spring sports, except as provided in subsection (b) of this section.

(b) Community colleges may participate in an intercollegiate football program provided that state funds, either directly or indirectly, or funds derived from property taxes or student fees are not expended to support the program.

History. Acts 1977, No. 560, § 15; 1979, No. 756, § 1; A.S.A. 1947, § 80-4915; Acts 2001, No. 1649, § 1; 2013, No. 422, § 1; 2017, No. 556, § 1.

Amendments. The 2017 amendment repealed former (a).

6-61-523. Student fees.

(a) TUITION.

(1) The intent of this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-522, § 6-61-524, and §§ 6-61-601 — 6-61-603 is to make community college programs available to as many citizens of Arkansas as possible. To this end, tuition and fees should be maintained at a reasonable level so as not to exclude citizens because of cost.

(2) The local board shall determine the minimum student tuition and fees to be charged.

(3) The student fees or tuition authorized in §§ 6-61-215 and 6-53-304 shall be used for educational purposes only.

(b) OUT-OF-DISTRICT TUITION.

(1)(A) Students who come from within the state but without the district may be charged a fee in addition to the fee charged students who are residents of the district.

(B) The out-of-district fee is to be determined by the local board but is not to exceed the pro rata share of the per student cost annually paid for buildings and operations from local tax revenues.

(C) However, when one (1) or more residents of a county not in a community college district attend a community college, the county of residence of these students may, when funds are appropriated therefor by the quorum court of the county, pay the tuition of these students which exceeds the tuition charged in-district students.

(2) Out-of-state students may be charged a fee in addition to the fee charged students who are residents of the district in the amount determined by the local board.

(c) ACTIVITY FEES. To provide for a student activity program at the college, the local board may levy a student activity fee.

(d) SPECIAL FEES. The local board of each community college may levy special fees for special programs, short courses, seminars, or like activities at a level to defray the cost of special activities.

History. Acts 1977, No. 560, § 14; Ex. Sess.), No. 12, § 1; 1999, No. 1107, A.S.A. 1947, § 80-4914; Acts 1989 (3rd § 3.

6-61-524. Agreements for sharing of facilities, personnel, and services.

(a) Community colleges established under the authority of Arkansas Constitution, Amendment 52 and the laws enacted pursuant thereto, are authorized, upon application, review, and approval thereof by the State Community College Board, to enter into agreements with any

postsecondary educational institution, or with agencies or institutions of this state, of any city or county, or of the United States Government for the sharing of facilities, personnel, or services or the providing and furnishing of services for such duration and under such conditions and financial arrangements therefor as are not inconsistent with the purposes for which the community colleges are established.

(b) In addition to the powers enumerated in this subchapter, it is the specific intention of this section, §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-523, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed] to authorize community colleges, upon application, review, and approval by the State Community College Board, to enter into agreements with the State Board of Career Education for the sharing of facilities, personnel, and services of vocational and technical schools of this state whereby, at a single location, community college instruction, including vocational and technical training, may be offered. The agreements shall include means of financing the sharing of such facilities, personnel, or services, provided, that the community college and the vocational and technical school shall each receive financial support in the manner provided by law.

History. Acts 1977, No. 560, § 16; A.S.A. 1947, § 80-4916.

Cross References. Consolidations and mergers, § 6-60-102.

6-61-525. Housing allowance.

Upon approval by the appropriate community college or technical college board of trustees, the president or the chancellor of each community college or technical college may receive a housing allowance in an amount not to exceed one thousand five hundred dollars (\$1,500) per month in lieu of college housing.

History. Acts 1989 (1st Ex. Sess.), No. 37, § 5; 1989 (1st Ex. Sess.), No. 48, § 5; 1989 (1st Ex. Sess.), No. 130, § 5; 1989 (1st Ex. Sess.), No. 203, § 5; 1989 (1st Ex. Sess.), No. 245, § 5; 1989 (1st Ex. Sess.), No. 252, § 7; 1989 (1st Ex. Sess.), No. 262, § 6; 1991, No. 641, § 6; 1993, No. 765, § 7; 1995, No. 70, § 3; 2007, No. 1041, § 1.

A.C.R.C. Notes. Former § 6-61-525, concerning the housing allowance for presidents of certain schools, is deemed to be superseded by this section. The former section was derived from Acts 1987, No. 691, § 5; 1987, No. 747, § 5; 1987, No. 748, § 5; 1987, No. 749, § 5; 1987, No. 756, § 5; 1987, No. 788, § 5.

6-61-526. [Repealed.]

Publisher's Notes. This section, concerning Phillips Community College of the University of Arkansas — Building trades construction program, was repealed by

Acts 2019, No. 239, § 1, effective July 24, 2019. The section was derived from Acts 1987, No. 748, § 6.

6-61-527. [Repealed.]

Publisher's Notes. This section, concerning the University Center at Westark Community College, was repealed by Acts 2003, No. 1473, § 7. The section was de-

rived from Acts 1989, No. 259, §§ 1, 2; 1991, No. 1119, § 5; 1993, No. 307, § 6; 1997, No. 112, § 17; 1997, No. 540, § 11.

**6-61-528. University Center of Arkansas Northeastern College
— Definitions.**

(a) In order to provide the residents of northeastern Arkansas with greater access to higher education opportunities beyond those which can be provided by the Arkansas Northeastern College, there is hereby created the university center at the Arkansas Northeastern College. The primary purpose of the General Assembly in creating this center is to meet the needs of persons who cannot, because of family or work responsibilities, leave the area to become students at universities in other communities. It is the intent of the General Assembly, in creating this center, to avoid the establishment of an additional institution of higher education or branch of such institution and to avoid the duplication of administrative personnel and services.

(b) The university center at the Arkansas Northeastern College shall be managed and administered by the Board of Trustees of the Arkansas Northeastern College utilizing the administrative staff and support services of the college.

(c) The Arkansas Northeastern College shall determine, in cooperation with the public universities and with the approval of the Arkansas Higher Education Coordinating Board, the need for various upper-level and graduate programs and courses and shall encourage such institutions to offer the needed programs and courses.

(d) It is the responsibility of the Arkansas Northeastern College District to provide facilities for approved courses and programs at the university center at the Arkansas Northeastern College.

(e) This section does not authorize the Arkansas Northeastern College to assume the status of a four-year institution.

(f) For the purposes of this section:

(1) "Graduate course" means a university course intended for students who have completed a baccalaureate degree;

(2) "Graduate program" means a prescribed series of graduate courses which lead to a post-baccalaureate degree;

(3) "Upper-level course" means a university course which is considered junior or senior level at the institution offering the course and is not offered at the freshman or sophomore level at the Arkansas Northeastern College; and

(4) "Upper-level program" means a prescribed series of university courses offered at the junior and senior level which, when combined with a prescribed series of freshman and sophomore courses, qualify successful students for the baccalaureate degree.

History. Acts 1992 (1st Ex. Sess.), No. 64, §§ 1, 2; 1992 (1st Ex. Sess.), No. 65, §§ 1, 2.

6-61-529. Local boards — Appointment or election of members.

(a)(1) Within sixty (60) days after April 19, 1995, the local board of each community college shall, by resolution, choose:

(A) To continue as a board whose members are elected; or

(B) To become a newly constituted board whose members are appointed by the Governor under the provisions of this section.

(2) The board of the local community college shall immediately thereafter notify the Governor of its decision.

(b)(1)(A) If the local community college board chooses to become an appointed board, positions on the board shall become vacant as current terms expire, and persons who are residents and qualified electors of the community college district shall be appointed by the Governor for terms of six (6) years.

(B) To the extent possible, the Governor shall assure equitable representation on the board with regard to race and geographic distribution from throughout the district.

(2)(A) Vacancies on the appointed board due to death, resignation, or other causes shall be filled by appointment of the Governor to serve the remainder of an unexpired term.

(B) A person so appointed is eligible for appointment to a subsequent full term on the board.

(c)(1) Except as provided in subsection (d) of this section, if the local community college board chooses to remain an elected board, beginning with the 1996 general election, the qualified electors of a community college district having a ten percent (10%) or greater population in any one (1) racial minority, as reported by the most recent federal decennial census information, shall elect the members of the local board as follows, utilizing selection procedures in compliance with the federal Voting Rights Act of 1965, 42 U.S.C. § 1971 et seq. (now 52 U.S.C. § 10101 et seq.):

(A) At least ninety (90) days before the election, the local board shall, with approval of the county board of election commissioners of any county in which the community college is located, divide the district into nine (9) zones, or the local board may, by resolution, utilize existing quorum court districts. Zones shall have substantially equal population, with boundaries based on the most recent available federal decennial census information; and

(B) A candidate for election from a zone or a quorum court district must be a qualified elector and a resident of the zone or district.

(2)(A) A board member shall serve a six-year term.

(B) A term shall commence after the county court declares the results of the election by an order entered of record and on January 1 next following the date of the election.

(3)(A) After each federal decennial census and at least ninety (90) days before the general election, the local board shall, with approval

of the county board of election commissioners of any county in which the community college is located, divide the district into nine (9) zones, or the local board may, by resolution, utilize quorum court districts. The zones or quorum court districts shall be based on the most recent federal decennial census information and be substantially equal in population.

(B) At the general election following the rezoning, a new local board shall be elected in accordance with procedures set forth in this section.

(d) If division into zones for election purposes would not create a voting zone with twenty percent (20%) or greater population in any one (1) racial minority, the district shall be exempt from subsection (c) of this section.

History. Acts 1995, No. 1349, § 1; 2001, No. 1366, §§ 1, 2.

A.C.R.C. Notes. As enacted by Acts 1995, No. 1349, subdivision (c)(2)(A) began: "Except as provided in subsection (d) of this section."

As enacted by Acts 1995, No. 1349, this section also contained a subsection (d)

which read: "(d) At the first meeting of a new local board, the members shall establish initial terms by lot so that, to the extent possible, an equal number of positions are filled every two (2) years and not more than five (5) members' terms expire every two (2) years."

6-61-530. Local boards — School district representation.

(a) If the members of the local board of a community college are elected at large and if the community college district is composed of more than one (1) school district, but not all the school districts in the county, the board may apportion a certain number of positions on the board for each school district according to the most recent census information.

(b) The board shall reapportion the positions on the board for each school district following each decennial census thereafter.

(c) If at the time of either the initial apportionment or the decennial reapportionment, a board member's position is apportioned to a school district in which he or she does not reside at that time, he or she shall nevertheless continue to hold office until the end of his or her term.

(d) After such apportionment, the qualified electors of each school district shall vote at large only for the board positions apportioned to their school district.

(e) Following apportionment, all board members and all candidates for board positions shall be residents and qualified electors of the school district to which their positions are apportioned, except as provided in subsection (c) of this section.

(f) If any board member shall cease to reside in the school district to which his or her position is apportioned, then that board member shall be disqualified to hold office, and a vacancy shall exist which shall be filled as prescribed by law.

(g) The provisions of this section shall not be applicable to or in any way affect the qualifications or current term of any person serving on a community college board on March 1, 1999.

History. Acts 1997, No. 1258, § 1;
1999, No. 771, § 1.

CASE NOTES

Cited: *Parsons v. State*, 341 Ark. 150,
15 S.W.3d 339 (2000).

6-61-531. Arkansas Heavy Equipment Operator Training Academy — Establishment.

(a) The Arkansas Heavy Equipment Operator Training Academy is established as a satellite center of the University of Arkansas at Monticello.

(b) The academy shall be the Arkansas single-source academy offering statewide services and satellite training for the operation of heavy equipment.

(c) The academy may operate programs in cooperation with the University of Arkansas at Monticello colleges of technology located in Crossett and McGehee and the Southeast Arkansas Community Based Education Center located in Warren.

History. Acts 2003, No. 683, § 1; 2005,
No. 1010, § 1; 2007, No. 819, § 1.

6-61-532. Arkansas Heavy Equipment Operator Training Academy — Operation.

(a)(1)(A) The Director of the Arkansas Heavy Equipment Operator Training Academy shall follow hiring procedures consistent with the policies of the University of Arkansas at Monticello in recommending academy personnel for hire.

(B) The Chancellor of the University of Arkansas at Monticello shall exercise final approval over the hiring of academy personnel.

(2) Persons employed by the academy as of July 1, 2003, shall be retained unless:

(A) They fail to fulfill their assigned duties; or

(B) Lack of enrollment in or funding of the academy necessitates staff reduction.

(3) The salaries of persons who are employed by the academy as of July 1, 2003, shall not be reduced as a result of this section and §§ 6-61-531 and 6-61-533.

(4) Persons who are nonclassified employees and faculty of the academy as of July 1, 2003, will remain under the academy's pay schedule.

(5) Persons employed by the academy as of July 1, 2003, may join the university's fringe benefits package, which includes the Arkansas Teacher Retirement System.

(6) The university will accept any leave balance for academy personnel that has accrued as of July 1, 2003, if the leave balance does not exceed the maximum leave allowed under Arkansas law.

(b)(1) The director will report directly to the chancellor regarding the operation of the academy.

(2) The director shall be appointed by the Chancellor of the University of Arkansas at Monticello or his or her designee.

(c) The university shall continue to offer the technical certificates previously approved by the Arkansas Higher Education Coordinating Board for the training of heavy equipment operators.

(d) The Arkansas Heavy Equipment Operator Training Academy Advisory Committee shall continue to make recommendations regarding the operation of the academy and its curriculum.

History. Acts 2003, No. 683, § 2; 2005, No. 1010, § 1; 2007, No. 819, § 2.

6-61-533. Arkansas Heavy Equipment Operator Training Academy — Funding.

(a)(1) All legislatively appropriated funds, tuitions, grant moneys, and donations designated for the Arkansas Heavy Equipment Operator Training Academy shall be specifically used for the operation of the academy.

(2) If the General Assembly does not provide funding for the academy, the University of Arkansas at Monticello may choose not to fund the academy.

(3) The Director of the Arkansas Heavy Equipment Operator Training Academy will develop, recommend, and monitor the academy's annual budget.

(4) The chief fiscal officer of the university or his or her designee shall regularly monitor academy books, banking records, accounts, and expenditures.

(b) The academy shall remain under the supervision of the director, who shall be assisted by the academy coordinator.

History. Acts 2003, No. 683, § 3; 2005, No. 1010, § 1; 2007, No. 819, § 3.

6-61-534. Southeast Arkansas College — Priorities.

A high priority of the Southeast Arkansas College is to provide:

- (1) University transfer courses;
- (2) Industrial training in the work place; and
- (3) Encouragement for degree acquisition.

History. Acts 2011, No. 1082, § 5.

SUBCHAPTER 6 — COMMUNITY COLLEGES — FINANCES

SECTION.

6-61-601. General operations — State funds.

6-61-602. General operations — Millage taxes.

SECTION.

6-61-603. Capital outlays generally.

6-61-604 — 6-61-612. [Repealed.]

6-61-613. Purchases from board members and employees.

Effective Dates. Acts 1977, No. 560, § 30: Mar. 21, 1977. Emergency clause provided: "It has been found and is hereby determined by the General Assembly that comprehensive planning for post-secondary education in Arkansas must be given greater emphasis. Further delay would possibly affect the educational opportunities available to citizens of the State and the quality of these opportunities. Therefore, an emergency is declared to exist, and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval."

Acts 1981, No. 29, § 3: Feb. 6, 1981. Emergency clause provided: "It has been found and is hereby declared by the General Assembly of the State of Arkansas that the financing of capital improvements for community colleges is not feasible under existing maximum interest rate limitations, that these capital improvements are essential to the continued development of the community college program in this State and the continued improvement of educational opportunities for her people, and that necessary capital improvements can be accomplished only by the immediate effect of this Act. Therefore, an emergency is declared to exist and this Act, being necessary for the preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval."

Acts 2009, No. 1480, § 117: Apr. 10, 2009. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act makes various revisions to Arkansas election laws that are designed to improve the administration of elections and special elections and that these revisions should be implemented as soon as possible so that the citizens of this state may benefit from improved election procedures. Therefore, an emergency is declared to exist and

this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2013, No. 7, § 2: Feb. 1, 2013. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that increasing the number of Arkansans obtaining postsecondary education is critical to the educational and economic development systems of the state; that the expansion or renovation of community colleges, or both expansion and renovation of community colleges, are necessary to accommodate and educate the increasing number of Arkansans who obtain and seek to obtain postsecondary education; that many postsecondary facilities in Arkansas have an urgent need for expansion or renovation, or both expansion and renovation; that community colleges currently have inadequate funding to expand and renovate campus facilities; and that this act is immediately necessary to allow community colleges sufficient time to seek additional revenue to adequately accommodate the growing number of Arkansans seeking and obtaining postsecondary education. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-61-601. General operations — State funds.

(a) Funds for the general operation of an adequate comprehensive educational program shall be provided by the state.

(b)(1) Prior to the beginning of each biennium, the local board of each community college shall develop an estimate of budget requirements for the operation of the community college for each year of the biennium and shall submit it to the State Community College Board for review.

(2) The estimate of budget requirements shall include both expected expenditures and incomes.

(c)(1) Based on the estimates submitted by the community colleges and estimates of funds required for additional institutions that may be created during the ensuing biennium, the board shall recommend to the General Assembly and the Governor its estimate of funds necessary to support existing community colleges and ones that may be established.

(2) The amount of state revenues to be recommended for the general operation of each community college shall be the difference between the recommended budget and the total of income for general operation, including student fees and any other income except local taxes. The recommended budget for general operation shall be sufficient to provide an adequate comprehensive educational program which serves the needs of the state and the community college's service area as determined by the board.

(d) Replacement of initial equipment shall be considered as an operating cost.

History. Acts 1977, No. 560, § 12;
1981, No. 29, § 1; A.S.A. 1947, § 80-4912.

CASE NOTES

Cited: Hadley v. North Ark. Cmty.
Tech. College, 76 F.3d 1437 (8th Cir. 1996).

6-61-602. General operations — Millage taxes.

(a) The local board of a community college may:

(1) Spend larger sums of money than the state funds provided for the community college consistent with the state law; and

(2) Levy a millage:

(A) To provide additional funds to acquire and construct the community college;

(B) To retire bonded indebtedness issued to finance facilities for the community college; or

(C) For general operating purposes of the community college.

(b) The election to approve the millage shall be held at:

(1) The election to create the community college district;

(2) A special election; or

(3) A general election.

(c)(1) The local board of a community college shall certify in a timely manner the aggregate millage to be levied for the district for the purposes stated in subsection (a) of this section to the appropriate tax levying authority of each county or city of the district.

(2) The millage shall be levied and collected in the manner provided by law.

(3) If the local board of the community college determines that the amount produced from taxes levied for the district minus the tax proceeds pledged for bonded indebtedness is less than the amount required by the local board of the community college for the purposes stated in subsection (a) of this section, the local board of the community college shall state in the resolution required under subsection (d) of this section the additional millage requested by the local board of the community college.

(4) The sum of the rate levied and the additional millage requested shall not exceed ten (10) mills.

(5) The local board of the community college shall request that the question of the levy be placed on the ballot at the next general election or a special election called for that purpose pursuant to § 7-11-201 et seq.

(d)(1) If the local board of a community college requests an election to vote on the millage, the local board shall:

(A) Adopt an appropriate resolution;

(B) File a certified copy of the resolution with the county board of election commissioners of each county in the district in which the election will be held; and

(C) Set the date of the election.

(2) The county board of election commissioners in each county in the community college district shall:

(A) Prepare the ballots;

(B) Furnish the election supplies;

(C) Select the election judges and clerks; and

(D) Make all necessary arrangements for conducting the election.

(3) Special elections under this section shall follow the laws applicable to the conduct of general elections.

(4) The community college district requesting the special election shall pay the expenses of conducting a special election held under this section.

(e) If the proposed additional millage is approved by the majority of the qualified electors of the district voting on such issue at an election, the additional millage shall be a continuing levy until reduced under subsection (f) of this section.

(f)(1) If the local board of a community college determines that the rate of tax levied by the district minus the amount pledged for bonded indebtedness exceeds the amount required by the local board of the community college for the purposes stated in subsection (a) of this section, the local board shall certify the reduced rate of millage to the appropriate tax levying authority of each county or city of the district.

(2) Upon certification by the local board of the community college under subdivision (f)(1) of this section, the appropriate tax levying authority of each county or city of the district shall:

(A) Reduce the rate of the millage levied; and

(B) Extend the reduced rate of the millage on the tax books as the rate of tax due to the community college district.

(3) The reduction of the tax rate under this subsection shall remain until a greater amount of tax is certified by the local board of the community college as authorized in this section.

(g)(1) Community college districts that are already in existence on March 21, 1977, and have existing millages that have been approved by the voters of the district may continue to levy the existing millages at the discretion of the local board of the community college.

(2) However, an election may be called to repeal operating millage, reduce operating millage, or authorize the transfer of operating millage to capital uses upon:

(A) The petition of voters under § 6-61-510; or

(B) A request by the local board of the community college.

History. Acts 1977, No. 560, § 12; 1480, § 12; 2011, No. 981, § 17; 2013, No. A.S.A. 1947, § 80-4912; Acts 2005, No. 7, § 1. 2145, § 9; 2007, No. 1049, § 11; 2009, No.

CASE NOTES

Cited: Hadley v. North Ark. Cmty. Tech. College, 76 F.3d 1437 (8th Cir. 1996).

6-61-603. Capital outlays generally.

Capital outlay expenses shall be paid from gifts, grants, profits from auxiliary enterprises, tuition, fees, local millages, and other local funds and may be paid from state funds appropriated for such purposes.

History. Acts 1977, No. 560, § 12; 1981, No. 29, § 1; A.S.A. 1947, § 80-4912; Acts 1991, No. 1242, § 1; 1993, No. 374, § 15; 1993, No. 382, § 2; 1993, No. 423, § 2; 1995, No. 1297, § 3.

A.C.R.C. Notes. Pursuant to § 1-2-207 this section is set out above as amended by Acts 1993, No. 423, § 2.

Acts 1993, No. 374, § 15, also amended subsection (b) to read as follows: "While capital outlay expenses may not be paid from funds from the general operating budget, such as state funds, capital outlay expenses may be paid from funds outside of the general operating budget, such as

gifts, grants, or profits from auxiliary enterprises."

Acts 1993, No. 382, § 2 also amended subsection (b) to read as follows: "While capital outlay expenses may not be paid from funds from the current year's general operating budget such as state funds, tuition, or fees, capital outlay expenses may be paid from funds from outside of the current year's general operating budget such as gifts, grants, unexpended cash funds from previous years' operating budgets, or profits from auxiliary enterprises."

CASE NOTES

Cited: Hadley v. North Ark. Cmty. Tech. College, 76 F.3d 1437 (8th Cir. 1996).

6-61-604 — 6-61-612. [Repealed.]

Publisher's Notes. These sections, concerning bond issues to finance capital outlay expenses, were repealed by Acts 1993, No. 374, § 16. The sections were derived from the following sources:

6-61-604. Acts 1977, No. 560, § 12; 1981, No. 29, §§ 1, 2; A.S.A. 1947, § 80-4912.

6-61-605. Acts 1977, No. 560, § 12; 1981, No. 29, § 1; A.S.A. 1947, § 80-4912.

6-61-606. Acts 1977, No. 560, § 12; 1981, No. 29, § 1; A.S.A. 1947, § 80-4912.

6-61-607. Acts 1977, No. 560, § 12; 1981, No. 29, § 1; A.S.A. 1947, § 80-4912.

6-61-608. Acts 1977, No. 560, § 12; A.S.A. 1947, § 80-4912.

6-61-609. Acts 1977, No. 560, § 12; A.S.A. 1947, § 80-4912.

6-61-610. Acts 1977, No. 560, § 12; 1981, No. 29, § 2; A.S.A. 1947, § 80-4912.

6-61-611. Acts 1977, No. 560, § 12; 1985, No. 459, § 1; 1985, No. 787, § 1; A.S.A. 1947, § 80-4912; Acts 1992 (1st Ex. Sess.), No. 65, § 3; 1993, No. 321, § 1.

6-61-612. Acts 1977, No. 560, § 12; A.S.A. 1947, § 80-4912; Acts 1992 (1st Ex. Sess.), No. 65, § 4.

6-61-613. Purchases from board members and employees.

(a)(1) The board of directors of each community college may adopt written policies authorizing the community college to purchase commodities and services from members of the board and employees of the community college.

(2) The board may restrict the purchases to competitive bids or negotiated purchases, or both.

(3) When any board member would derive financial gain from a sale to the community college, and if the board is required to vote on the purchase, that board member shall not vote on that issue.

(b)(1) The president of each community college shall maintain a file of all documents pertaining to sales to the community college by members of its board or its employees.

(2) Such documents shall be:

(A) Maintained for five (5) years;

(B) Open to public inspection under the Freedom of Information Act of 1967, § 25-19-101 et seq.; and

(C) Audited by Arkansas Legislative Audit.

(c) No member of a community college board of directors and no employee of a community college shall, in an effort to influence the college to purchase commodities or services from him or her:

(1) Coerce, bribe, or threaten economic sanctions against any board member or employee of the college in an effort to influence the decision on the purchase; or

(2) Purposely omit, conceal, or falsify material facts to a board member or employee regarding the transaction.

History. Acts 1989, No. 248, §§ 1-3.

SUBCHAPTER 7 — RICH MOUNTAIN COMMUNITY COLLEGE

SECTION.

- 6-61-701. Legislative findings and purpose.
 6-61-702. Definition — Name of district and college.
 6-61-703. Subchapter cumulative.
 6-61-704. Transfer of title to certain land.

SECTION.

- 6-61-705. Operation as comprehensive institution.
 6-61-706. Employees.
 6-61-707. [Repealed.]
 6-61-708. Building trades construction program.

A.C.R.C. Notes. Acts 1991, No. 640, § 10, provided: "The Rich Mountain Community College shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the Rich Mountain Community College shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the Rich Mountain Community College does not exceed 25% of that required for a full time employee."

Effective Dates. Acts 1983, No. 16, § 5; Feb. 2, 1983. Emergency clause provided: "It is hereby found and determined by the General Assembly that the State Board of Higher Education, acting in its capacity as a State Community College Board, has conducted studies and has given its approval to the establishment of a community college district in Polk County, Arkansas, conditioned upon the electors of said County voting in favor thereof and levying sufficient millage to provide the monies necessary for the construction of buildings and facilities required by the district; that the State Board of Higher Education has determined it would be in the best interest of a community college district established in Polk County, if established, that the Mena off-campus Branch program of Henderson State University now operated in Mena, Polk County, Arkansas, be terminated in the event said district is created, and, that the educational and technical training needs of the area to be served by said community college could best be met by transferring the properties, buildings, and facilities, and the monies provided for the operation of the Rich Mountain Voca-

tional-Technical School to the community college district in Polk County, to be operated as a vocational-technical program of said district; and that the creation of said district is dependent upon the passage of this Act, in order that the electors of Polk County may, in the manner provided by law, file petitions for a special election on the question of creating said community college district, and that the immediate passage of this Act is necessary to implement the recommendations of the State Board of Higher Education, and to authorize the holding of an election on the question of creating said community college district in Polk County without further delay, to meet the educational and technical training needs of the area to be served. Therefore, an emergency is hereby declared to exist and this Act, being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage and approval."

Acts 1989 (1st Ex. Sess.), No. 281, § 10: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

6-61-701. Legislative findings and purpose.

(a) In the passage of this subchapter, the General Assembly is cognizant of the fact that the Arkansas Higher Education Coordinating Board, acting under the authority of §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed] and under criteria and standards promulgated thereunder for the establishment of community college districts, has, at the request of interested citizens of Polk County, Arkansas, made a study and has given its approval for the establishment of a community college in Mena, Polk County, Arkansas, if the electors of Polk County vote to establish the district in the manner provided by law and approve a levy of tax deemed by the board to be necessary for providing buildings and other facilities necessary for the operation of the community college.

(b) In order to meet the postsecondary educational needs of the area to be served by a Polk County community college, the Arkansas Higher Education Coordinating Board, acting in its capacity as the State Community College Board, has determined that the establishment of a community college district in Polk County should be conditioned upon the assumption by the community college of the off-campus branch instruction now being provided citizens of the area through the Mena Off-Campus Branch of Henderson State University and that the funds now allocated to the operation of the Henderson State University, Mena Off-Campus Branch, be allocated to and made available for the operation of the community college established in Polk County, and has further provided that the Rich Mountain Vocational-Technical School operated by the Department of Career Education be taken over and operated by the Polk County community college, with all properties, furniture, equipment, personnel, and funds now provided for the operation of the Rich Mountain Vocational-Technical School to be turned over to the community college district established in Polk County, to be used in the operation of a vocational-technical program by the community college.

(c) The purpose of this subchapter is to authorize the appropriate officials of the State of Arkansas to take the necessary steps to implement the aforementioned recommendations of the Arkansas Higher Education Coordinating Board, which are conditions for the establishment of a community college district in the event a majority of the electors of Polk County voting on the issue vote "for" the establishment of a community college district in Polk County.

History. Acts 1983, No. 16, § 1; A.S.A. 1947, § 80-4911n.

Publisher's Notes. The establishment

of the district and the tax levy, referred to in this section, were approved by the electors.

6-61-702. Definition — Name of district and college.

(a) Whenever the term “Polk County community college district”, “the Polk County community college”, or “the Polk County community college district board” is used in this subchapter, the term is used solely for the purpose of referring to a community college district to be established in Polk County in the manner provided by law and is not intended to establish the legal name of the community college district or of the community college itself.

(b) The community college district shall bear such name as proposed therefor in the petition filed by the electors of Polk County calling for an election on the question of creating the community college district, and the name of the institution operated by the community college district shall be selected by the board of trustees of the district subject to approval thereof by the Arkansas Higher Education Coordinating Board.

History. Acts 1983, No. 16, § 1; A.S.A. 1947, § 80-4911n.

community college established pursuant to this subchapter is named “Rich Mountain Community College.”

Publisher’s Notes. The Polk County

6-61-703. Subchapter cumulative.

The provisions of this subchapter shall be cumulative to the laws of this state governing the creation and operation of community colleges and vocational-technical school programs operated by community colleges.

History. Acts 1983, No. 16, § 4; A.S.A. 1947, § 80-4911n.

6-61-704. Transfer of title to certain land.

Title to the following-described lands in Polk County, State of Arkansas, belonging to the State Board of Career Education and Career Opportunities and used for the operation of the Rich Mountain Vocational-Technical School, is transferred to and shall become the property of the board of trustees of the community college district established in Polk County, to be used in connection with the vocational-technical programs and educational programs of such community college: “The Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Eight (8), Township Two (2) South, of Range Thirty (30) West, containing forty (40) acres, more or less, in Polk County, Arkansas, subject to the reservation of a twenty-five foot (25') strip of land off of the north side of the tract, for roadway purposes.”

History. Acts 1983, No. 16, § 2; A.S.A. 1947, § 80-4911n.

Publisher’s Notes. Acts 1983, No. 16, § 2, provided, in part, that, following the election approving the establishment of a Polk County community college district

and a tax assessment for the construction and operation of such a community college, the Director of the Department of Higher Education would certify to certain officials that a community college district had been established and that the board of

the district had been selected and organized to assume the control and management of the district. The transfer by warranty deed of the property described in this section was to occur within ten (10) days after receipt of the certification although failure to furnish the deed would not nullify the transfer of the property.

Additionally, § 2 provided for the transfer of all buildings, fixtures, improvements, and personal property of, and funds appropriated for, the Rich Mountain

Vocational-Technical School and the Mena Branch off-campus program of Henderson State University to the Polk County community college. The section further provided that any leases, rental agreements, or other contractual obligations of Henderson State University in connection with the Mena Branch off-campus program would be assumed by the Polk County community college district for the remainder of the unexpired portions of the leases or contracts.

6-61-705. Operation as comprehensive institution.

The community college in Polk County shall be operated as a comprehensive institution providing community college and vocational-technical instruction and programs in the same manner as provided by law as other community colleges of this state under the jurisdiction of the State Community College Board.

History. Acts 1983, No. 16, § 3; A.S.A. 1947, § 80-4911n.

6-61-706. Employees.

(a)(1) If the presidents and the boards of trustees of the community college in Polk County and Henderson State University determine that it would be in the best interest of the educational programs of the community college that employees of Henderson State University assigned to the Mena Off-Campus Branch of the university continue to provide educational services until the community college can employ sufficient staff to take over the operation of the educational program of the community college, the boards of trustees may enter into necessary contracts and agreements to provide for the orderly transition of the taking-over of the educational programs of the community college by its board of trustees.

(2) The contracts and agreements may also include the necessary financial agreements for payments to be made by the community college to Henderson State University for services rendered to the community college during the transition period.

(3) The agreements may include the employment by the community college in Polk County of staff persons of Henderson State University engaged in teaching and instructional duties at the Mena Off-Campus Branch of Henderson State University at the time of the implementation of the operation of the community college or may include agreements for the community college to contract with Henderson State University for the providing of the educational and training services of such instructors under such financial agreements as may be mutually agreed to by the respective institutions.

(b)(1) Employees of Henderson State University whose services are contracted to the community college in Polk County for teaching duties

during the transition period shall continue to participate in the retirement systems, as authorized by law, for Henderson State University during the period of the contract services, but in the event any such employee terminates service with Henderson State University and is employed by the community college district, the employee shall be eligible to become a member of, and participate in, a retirement plan, as authorized by law, for the community college district.

(2) Other employees of the vocational-technical program of the community college established in Polk County who were not employees of the Rich Mountain Vocational-Technical School at the time of the transfer of the school to the community college shall be eligible to participate in such retirement plans as are operated by the community college, as authorized by law.

History. Acts 1983, No. 16, §§ 2, 3; A.S.A. 1947, § 80-4911n.

6-61-707. [Repealed.]

Publisher's Notes. This section, concerning a housing allowance for the Rich Mountain Community College president, was repealed by Acts 1995, No. 70, § 4.

The section was derived from Acts 1989 (1st Ex. Sess.), No. 281, § 5.
For present law, see § 6-61-525.

6-61-708. Building trades construction program.

Rich Mountain Community College is hereby authorized to participate in a building trades construction program as may be authorized, and under the same restriction provided, by laws for the area vocational and technical schools. Funding for such programs shall be only from revenues received by Rich Mountain Community College that are not required by law to be deposited into the State Treasury.

History. Acts 1989 (1st Ex. Sess.), No. 281, § 6.

A.C.R.C. Notes. Former § 6-61-708, concerning building trades construction program, is deemed to be superseded by this section. The former section was derived from Acts 1987, No. 746, § 6.

SUBCHAPTER 8 — ARKANSAS RESEARCH DEVELOPMENT ACT

SECTION.
6-61-801. Title.
6-61-802. Intent.
6-61-803. Arkansas Research Development Program created — Administration.

SECTION.
6-61-804 — 6-61-806. [Repealed.]
6-61-807. Funds — Uses.
6-61-808. Applications for funds.
6-61-809. [Repealed.]

Effective Dates. Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Ar-

kansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and

operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the

fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-61-801. Title.

This subchapter may be cited as the "Arkansas Research Development Act".

History. Acts 1985, No. 583, § 1; A.S.A. 1947, § 80-4928.

6-61-802. Intent.

It is the intent of this subchapter to provide a source of funding to established research groups in publicly supported universities in this state in order to secure long-term benefits for such groups so that they may become recognized as leaders in their fields of endeavor and thereby attract outstanding scientists to this state as well as industries which rely upon scientific support.

History. Acts 1985, No. 583, § 2; A.S.A. 1947, § 80-4929.

6-61-803. Arkansas Research Development Program created — Administration.

There is created a program to be known as the "Arkansas Research Development Program", which shall be administered by the Director of the Division of Higher Education.

History. Acts 1985, No. 583, § 3; A.S.A. 1947, § 80-4930; Acts 1991, No. 343, § 4; 2019, No. 910, § 1989.

Amendments. The 2019 amendment

substituted "Director of the Division of Higher Education" for "Director of the Department of Higher Education".

6-61-804 — 6-61-806. [Repealed.]

Publisher's Notes. These sections, concerning the Board of Advisors, were repealed by Acts 1991, No. 343, § 4. The sections were derived from the following sources:

6-61-804. Acts 1985, No. 583, §§ 3, 4; A.S.A. 1947, §§ 80-4930, 80-4931:

6-61-805. Acts 1985, No. 583, § 3; A.S.A. 1947, § 80-4930.

6-61-806. Acts 1985, No. 583, § 4; A.S.A. 1947, § 80-4931.

6-61-807. Funds — Uses.

Funds may be made available for administration of the Arkansas Research Development Program, for purchasing state-of-the-art equipment, for minor renovation of laboratory space, for publication of findings, for employing scientists or research assistants, and for providing any other assistance to scientists in order to develop a continuing research capacity in this state which is recognized by other scientists as exemplary.

History. Acts 1985, No. 583, § 2; A.S.A. 1947, § 80-4929.

6-61-808. Applications for funds.

(a) Application for the funds provided for the Arkansas Research Development Program may be made by any publicly supported university in the State of Arkansas.

(b)(1) The Director of the Division of Higher Education shall review the applications and shall approve applications in the amount he or she determines appropriate, after seeking the advice of the Legislative Council.

(2) The director shall prepare a voucher in the name of the successful applicant in the amount approved by the director.

(c) In determining the successful applicant, the director shall ensure that the funds will be used to:

(1) Assist the state in its competition with other states and communities in attracting technology-based industry or in strengthening such industries currently in the state;

(2) Develop a continuous research and development program such that high quality research capability is available to high-technology industries; and

(3) Assist established and relatively successful research programs to gain national or regional recognition.

History. Acts 1985, No. 583, § 4; A.S.A. 1947, § 80-4931; Acts 1991, No. 343, § 4; 2019, No. 910, § 1990.

Amendments. The 2019 amendment

substituted "Director of the Division of Higher Education" for "Director of the Department of Higher Education" in (b)(1).

6-61-809. [Repealed.]

Publisher's Notes. This section, concerning disbursement of funds, was repealed by Acts 1991, No. 343, § 4. The

section was derived from Acts 1985, No. 583, § 4; A.S.A. 1947, § 80-4931.

SUBCHAPTER 9 — OFFICE OF ACCOUNTABILITY**SECTION.****6-61-901. Purpose.****6-61-902. Office of Accountability within Division of Higher Education.****SECTION.****6-61-903 — 6-61-905. [Repealed.]**

Effective Dates. Acts 1997, No. 112, § 40: Feb. 7, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 10 of the First Extraordinary Session of 1995 abolished the Joint Interim Committee on Education and in its place established the House Interim Committee and Senate Interim Committee on Education; that various sections of the Arkansas Code refer to the Joint Interim Committee on Education and should be corrected to refer to the House and Senate Interim Committees on Education; that this act so provides; and that this act should go into effect immediately in order to make the laws compatible as soon as possible. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the

veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-61-901. Purpose.

In order to enhance the public's access to performance indicators and to better measure the dividends paid on the increasing public investment in Arkansas's institutions of higher education, the General Assembly finds that a separate office of accountability should be established within the Division of Higher Education.

History. Acts 1991, No. 856, § 1; 1997, No. 112, § 18; 1999, No. 479, § 2; 2019, No. 910, § 1991.

Amendments. The 2019 amendment

substituted "Division of Higher Education" for "Department of Higher Education".

6-61-902. Office of Accountability within Division of Higher Education.

- (a) There is created the Office of Accountability within the Division of Higher Education.
- (b) The office is authorized and directed to collect and analyze information that may be required to meet any state or federal requirement.
- (c) Under the direction of the Director of the Division of Higher Education, the staff of the office shall work cooperatively with and provide any necessary assistance to the House Committee on Education and the Senate Committee on Education.

History. Acts 1991, No. 856, § 2; 1999, No. 479, § 3; 2019, No. 910, § 1992.

Amendments. The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Education” in the section heading, (a), and (c).

6-61-903 — 6-61-905. [Repealed.]

Publisher’s Notes. The sections, concerning duties, reports, cooperation with legislative committees, and the advisory committee, were repealed by Acts 1999, No. 479, §§ 4-6. The sections were derived from the following sources:

6-61-903. Acts 1991, No. 856, § 3.

6-61-904. Acts 1991, No. 856, § 4.

6-61-905. Acts 1991, No. 856, § 5.

SUBCHAPTER 10 — TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENT ACT OF 1993

SECTION.	SECTION.
6-61-1001. Title.	6-61-1010. Authority of Arkansas Higher Education Coordinating Board.
6-61-1002. Definitions.	6-61-1011. Authority of board of trustees — Issuance of bonds.
6-61-1003. Issuance of bonds.	6-61-1012. Authority of board of trustees — Financing a project.
6-61-1004. Authorization of bond issue — Terms of authorizing resolution.	6-61-1013. Authority of board of trustees — Refunding bonds.
6-61-1005. Additional terms of authorizing resolution.	6-61-1014. Authority of board of trustees — Use of available funds.
6-61-1006. Signature on bonds.	
6-61-1007. Interest on bonds.	
6-61-1008. Sale of bonds.	
6-61-1009. Liability.	

Effective Dates. Acts 1993, No. 374, § 19: Mar. 5, 1993. Emergency clause provided: “It is hereby found and determined by the Seventy-Ninth General Assembly that technical colleges and community colleges are necessary components of higher education in Arkansas in order for quality educational programs to be available in all areas of the state and to all people; that the technical and community colleges

must achieve accreditation from the North Central Association — Commission on Institutions of Higher Education by 1997 or they will be abolished by the State Board of Higher Education; that in order to achieve accreditation, new sources for funding capital outlay expenses for technical colleges, as well as an improvement in the method whereby community colleges can issue bonds, must be found at

once; that it is necessary for this act to become effective immediately so that Arkansas technical and community colleges can be fully accredited before the 1997 deadline. Therefore, an emergency is

hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health, and safety shall be in full force and effect from and after its passage and approval."

6-61-1001. Title.

This subchapter shall be known as and may be cited as the "Technical College and Community College Capital Improvement Act of 1993".

History. Acts 1993, No. 374, § 1.

6-61-1002. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Board of trustees" means the local board of trustees of a technical or a community college that is a member of the Arkansas Technical and Community College System under the coordination of the Arkansas Higher Education Coordinating Board;

(2) "Bonds" means any evidence of indebtedness issued by a board of trustees pursuant to this subchapter;

(3) "Capital improvements" means the construction, repair, or renovation of buildings, including, without limitation, laboratories, libraries, portable classrooms, special events centers, training facilities, student housing, parking facilities, theaters, meeting halls, dining facilities, and administrative offices; the purchase of existing buildings or structures; the renovation or demolition of existing structures; the purchase of sites for the construction of capital improvements; the purchase of equipment, apparatus, or library materials for any facilities used by the technical college or the community college; any improvement that may be the subject of a capital outlay expense as defined in § 6-53-103; or any other improvements that a board of trustees deems reasonable and necessary for the development of the technical college or the community college;

(4) "Community college" means a two-year institution of higher education established pursuant to §§ 6-61-101 — 6-61-103, §§ 6-61-201 — 6-61-209, § 6-61-211 [repealed], §§ 6-61-212 — 6-61-216, §§ 6-61-301 — 6-61-305, § 6-61-306 [repealed], § 6-61-401, § 6-61-402, §§ 6-61-501 — 6-61-524, §§ 6-61-601 — 6-61-603, and §§ 6-61-604 — 6-61-612 [repealed] and the Two-Year Postsecondary Education Reorganization Act of 1991, § 6-53-101 et seq., and a member of the Arkansas Technical and Community College System under the coordination of the Arkansas Higher Education Coordinating Board;

(5) "Costs of issuance" means all costs associated with the issuance of bonds, including, without limitation, printing, publication, and notice expenses; the fees and expenses of trustees and paying agents; and the fees and expenses of financial advisors, underwriters, attorneys, con-

sultants, and other professionals engaged to assist a board of trustees in issuing bonds;

(6) "Debt service" means the payment of principal, interest, redemption premiums, if any, the fees of trustees and paying agents, and servicing fees relating to the bonds;

(7) "Project" means the development, construction, or acquisition of any capital improvement authorized by this subchapter;

(8) "Project costs" means all or any part of the costs of developing any project hereunder, and all or any part of costs incidental thereto, including, without limitation, planning, design, and engineering fees and expenses, payment of capitalized interest, and the funding of appropriate reserves;

(9) "State" means the State of Arkansas;

(10) "State board" means the Arkansas Higher Education Coordinating Board; and

(11) "Technical college" means a two-year institution of higher education established pursuant to the Two-Year Postsecondary Education Reorganization Act of 1991, § 6-53-101 et seq., or § 6-54-101 et seq., and a member of the Arkansas Technical and Community College System under the coordination of the Arkansas Higher Education Coordinating Board.

History. Acts 1993, No. 374, § 2.

6-61-1003. Issuance of bonds.

The board of trustees is authorized and empowered to issue its bonds with a specific pledge for the payment of debt service and costs of issuance thereof from all or any part of the following:

(1) The gross tolls, fees, rents, and other charges to be derived as income from the project;

(2) Any surplus not pledged of the gross tolls, fees, rents, and other charges to be derived from other projects financed in whole or in part by bonds issued by the board of trustees;

(3) All or any part of revenues derived from any auxiliary enterprise authorized by law;

(4) Tuition and fees collected from students;

(5) All or any part of the proceeds of any tax or special millage now or hereafter approved by the General Assembly for the accomplishment of the purposes of this subchapter;

(6) All or any part of the revenues described in § 6-53-207(d) and (e) and § 6-61-603(b); and

(7)(A) Any funds received from the United States, or any department or agency thereof, pursuant to any act of the United States Congress, providing for grants or payments to educational institutions in connection with, or in any way pertaining to, the financing of acquiring lands and constructing and equipping buildings and improvements thereon.

(B) In regard to the funds referred to in subdivision (7)(A) of this section, the board of trustees is authorized to take such action, comply with such terms and conditions, and execute such agreements as may be necessary to apply for, receive, pledge, or use such funds for the purposes specified in this subchapter or any other lawful purpose.

History. Acts 1993, No. 374, § 5.

6-61-1004. Authorization of bond issue — Terms of authorizing resolution.

(a) The bonds shall be authorized by resolution of the board of trustees of the technical college or the community college.

(b) The authorizing resolution may contain terms, covenants, and conditions that are deemed desirable by the board of trustees, including, without limitation, provisions:

- (1) Authorizing the issuance of bonds in series from time to time;
- (2) Pertaining to the custody and application of bond proceeds;
- (3) Pertaining to the maintenance of various funds and reserves;
- (4) Pertaining to the collection, depositing, securing, and disbursing of tax proceeds and other revenues;
- (5) Pertaining to the nature and extent of the security; and
- (6) Pertaining to the rights, duties, and obligations of the board of trustees and the holders and registered owners of the bonds.

History. Acts 1993, No. 374, § 7.

6-61-1005. Additional terms of authorizing resolution.

(a) The authorizing resolution may provide for the execution by the board of trustees of the technical college or the community college with a bank or trust company within or without the State of Arkansas of a trust indenture.

(b) The trust indenture may contain terms, covenants, and conditions that are deemed desirable by the board of trustees, including, without limitation, provisions:

- (1) Authorizing the issuance of bonds in series from time to time;
- (2) Pertaining to the custody and application of bond proceeds;
- (3) Pertaining to the maintenance of various funds and reserves;
- (4) Pertaining to the collection, depositing, securing, and disbursing of tax proceeds and other revenues;
- (5) Pertaining to the nature and extent of the security; and
- (6) Pertaining to the rights, duties, and obligations of the local board, the trustees, and the holders and registered owners of the bonds.

History. Acts 1993, No. 374, § 9; 1995, No. 1296, § 34.

6-61-1006. Signature on bonds.

Bonds shall be executed by the manual or facsimile signature of the chair and secretary of the board of trustees of a technical college or a community college. In case an officer whose signature appears on the bonds shall cease to be an officer before the delivery date of the bonds, his or her signature shall nevertheless be valid and sufficient for all purposes.

History. Acts 1993, No. 374, § 10.

6-61-1007. Interest on bonds.

The bonds shall be registrable as to principal and interest, and the bonds may be in such form and denominations, may have such date or dates, may mature at such time or times not exceeding thirty (30) years from their date of issuance, may bear interest payable on such dates and at such rate or rates not exceeding the maximum rate allowed by law, may be payable at such place or places within or without the State of Arkansas, may be subject to such terms of redemption in advance of maturity at such prices, including such premiums, and may contain such terms and provisions, all as the board of trustees of the technical college or the community college shall specify in the authorizing resolution or in the trust indenture authorized by § 6-61-1005.

History. Acts 1993, No. 374, § 8.

6-61-1008. Sale of bonds.

(a) Bonds issued pursuant to this subchapter may be sold by negotiation or at public sale, as shall be determined by the board of trustees.

(b) If the bonds are sold by negotiation, the board of trustees is authorized to enter a bond purchase agreement upon such terms regarding discount and underwriting fees and at such interest rates as the board of trustees shall determine in the exercise of its reasonable discretion.

(c) If the bonds are sold at public sale, notice of such public sale shall be published in a newspaper of general circulation throughout the state at least twenty (20) days prior to the date of sale, and the sale of the bonds shall be awarded to the bidder whose bid results in the lowest net interest cost, taking into account any premium or discount contained in such bid.

History. Acts 1993, No. 374, § 11.

6-61-1009. Liability.

(a) The bonds shall be revenue bonds secured solely by the revenues pledged thereto, and in no event shall they be considered a debt for which the faith and credit of the State of Arkansas or any of its revenues are pledged.

(b) No member of any board of trustees shall be personally liable for the notes or bonds or for any damages sustained by anyone in connection with contracts for loans or the construction of the buildings, unless it shall be made to appear that he or she has acted with a corrupt intent.

History. Acts 1993, No. 374, § 12.

6-61-1010. Authority of Arkansas Higher Education Coordinating Board.

(a) The board of trustees shall not issue any bonds under the provisions of this subchapter unless, prior to the issuance of such notes or bonds, the board of trustees shall have obtained the advice of the Arkansas Higher Education Coordinating Board as to the economic feasibility of the particular project to be financed, in whole or in part, by those bonds.

(b) The board of trustees shall submit to the Arkansas Higher Education Coordinating Board information pertaining to the proposed project and other information deemed pertinent to, and requested by, the Arkansas Higher Education Coordinating Board.

(c) The Arkansas Higher Education Coordinating Board shall notify the board of trustees within thirty (30) days from the date the information is submitted to the Arkansas Higher Education Coordinating Board of its advice with respect to the economic feasibility of the particular project.

(d) The advice of the Arkansas Higher Education Coordinating Board under this section shall not be binding on the board of trustees.

(e) The authority conferred upon the Arkansas Higher Education Coordinating Board by this section shall not extend to the feasibility of the bonds proposed to be issued by the board of trustees or to any of the terms, conditions, and provisions thereof, and this section shall not be construed to impair in any way the validity of any bonds issued by the board of trustees under this subchapter or to impair or affect in any way the obligations of the board of trustees or the rights of any holder or registered owner of the bonds.

History. Acts 1993, No. 374, § 6.

6-61-1011. Authority of board of trustees — Issuance of bonds.

(a) For the purpose of and in connection with the issuance of bonds, the board of trustees may execute such documents and enter into such agreements as it may deem necessary or proper in connection therewith.

(b)(1) Any agreement entered into by the board of trustees shall be binding in all respects upon the board of trustees and their successors from time to time in accordance with the terms and all of the provisions of the agreement.

(2) The terms and provisions shall be enforceable by appropriate proceedings at law or in equity, or otherwise, provided no mortgage or other lien shall be executed on any of the lands or buildings belonging to the State of Arkansas.

History. Acts 1993, No. 374, § 13.

6-61-1012. Authority of board of trustees — Financing a project.

The board of trustees is authorized and empowered to enter into the necessary contracts for the borrowing of all or any part of the funds that the board of trustees may determine will be required in connection with the financing of a project.

History. Acts 1993, No. 374, § 3.

6-61-1013. Authority of board of trustees — Refunding bonds.

(a) The board of trustees has the power to and is authorized to refinance, in whole or in part, from time to time, its valid outstanding obligations issued under this subchapter and any amendments hereto.

(b)(1) To that end, the board of trustees may issue refunding bonds.

(2) This power may be exercised successively, and any obligations which have once been refunded may thereafter from time to time be refunded.

(3) Refunding bonds shall be issued in the same manner as provided in this subchapter for original obligations.

History. Acts 1993, No. 374, § 14.

6-61-1014. Authority of board of trustees — Use of available funds.

The board of trustees is authorized to utilize any funds available to finance temporarily all or any part of the project and to make reimbursement of the funds from the proceeds of the sale of any bonds issued to finance a project permanently.

History. Acts 1993, No. 374, § 4.

SUBCHAPTER 11 — UNIVERSITY OF ARKANSAS AT FORT SMITH

SECTION.

6-61-1101 — 6-61-1103. [Repealed.]

6-61-1104. [Repealed.]

6-61-1105. Model programs.

SECTION.

6-61-1106. Employment models.

6-61-1107. [Repealed.]

6-61-1108. Sports programs.

Effective Dates. Acts 1997, No. 740, § 15; July 1, 1997. Emergency clause provided: "It is hereby found and determined by the Eighty-First General Assembly,

that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1,

1997 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1997 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997."

Acts 2003, No. 1473, § 74: July 1, 2003. Emergency clause provided: "It is found

and determined by the General Assembly of the State of Arkansas that this act includes technical corrects to Act 923 of 2003 which establishes the classification and compensation levels of state employees covered by the provisions of the Uniform Classification and Compensation Act; that Act 923 of 2003 will become effective on July 1, 2003; and that to avoid confusion this act must also effective on July 1, 2003. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003."

6-61-1101 — 6-61-1103. [Repealed.]

Publisher's Notes. These sections, concerning Westark Community College's special status, were repealed by Acts 2003, No. 1473, §§ 8-10. The sections were derived from the following sources:

6-61-1101. Acts 1997, No. 971, § 1.

6-61-1102. Acts 1997, No. 971, § 2.

6-61-1103. Acts 1997, No. 971, § 2.

6-61-1104. [Repealed.]

Publisher's Notes. This section, concerning Westark Community College's baccalaureate degree programs, was repealed by Acts 2003, No. 1473, § 11. The

section was derived from Acts 1997, No. 740, § 7; 1997, No. 971, § 3; 1999, No. 459, § 7.

6-61-1105. Model programs.

(a) The University of Arkansas at Fort Smith shall seek a systemic change in the current higher education model by realigning its programs to a model that meets the needs of an information-driven and technology-driven era.

(b)(1) Each educational program offered by the University of Arkansas at Fort Smith, whether certificate, associate, or bachelor's degree, will have clearly defined expectations of learners in terms of knowledge, skills, competencies, and capacities for further learning.

(2) Certification of mastery, competency, and demonstrated capacities for individual graduates to customer standards will be required, as opposed to outcomes measured solely by the number of courses taken, seat time, and grade point average.

(3) Students will be actively involved in the learning process, with curricula designed around fewer lectures and with more responsibility placed on the learner and groups of learners.

History. Acts 1997, No. 971, § 4.

6-61-1106. Employment models.

In order to accommodate the development and delivery of curricula, the University of Arkansas at Fort Smith is hereby authorized to experiment with and to utilize employment models other than tenure such as the employment of new faculty on a twelve-month, forty-hour-week basis, with rewards for administrative staff and faculty based upon results.

History. Acts 1997, No. 740, § 8; 1997, No. 971, § 5.

6-61-1107. [Repealed.]

Publisher's Notes. This section, concerning Westark Community College's administration, was repealed by Acts 2003,

No. 1473, § 12. The section was derived from Acts 1997, No. 740, § 9; 1997, No. 971, § 6; 1999, No. 459, § 9.

6-61-1108. Sports programs.

- (a) The University of Arkansas at Fort Smith's participation in intercollegiate athletic programs shall continue to be limited to basketball, volleyball, and spring sports, except as provided in subsection (b) of this section.
- (b) The university may participate in an intercollegiate football program provided that state funds, either directly or indirectly, or funds derived from property taxes or student fees are not expended to support the program.

History. Acts 1997, No. 971, § 7; 2001, No. 1649, § 2.

SUBCHAPTER 12 — SOUTHWEST ARKANSAS HIGHER EDUCATION CONSORTIUM

[Repealed.]

SECTION.
6-61-1201. [Repealed.]

6-61-1201. [Repealed.]

Publisher's Notes. This subchapter, concerning the Southwest Arkansas Higher Education Consortium, was repealed by Acts 2019, No. 256, § 4, effective July 24, 2019. The subchapter was derived from the following sources:

6-61-1201. Acts 1997, No. 845, § 2; 2016, No. 141, § 7.

SUBCHAPTER 13 — PRODUCTIVITY ENHANCEMENT FOR UNDERGRADUATE
HIGHER EDUCATION ACT

[Repealed.]

SECTION.
6-61-1301 — 6-61-1312. [Repealed.]

6-61-1301 — 6-61-1312. [Repealed.]

A.C.R.C. Notes. The repeal of this subchapter by Acts 2019, No. 256, § 5, superseded the amendment of § 6-61-1303 by Acts 2019, No. 910, § 1993. The amendment by Acts 2019, No. 910 substituted “Division of Higher Education” for “Department of Higher Education” in (4)(C).

Publisher’s Notes. This subchapter, concerning the Productivity Enhancement for Undergraduate Higher Education Act, was repealed by Acts 2019, No. 256, § 5, effective July 24, 2019. The subchapter was derived from the following sources:

- 6-61-1301. Acts 2007, No. 1592, § 1.
- 6-61-1302. Acts 2007, No. 1592, § 1.
- 6-61-1303. Acts 2007, No. 1592, § 1; 2019, No. 910, § 1993.
- 6-61-1304. Acts 2007, No. 1592, § 1.
- 6-61-1305. Acts 2007, No. 1592, § 1.
- 6-61-1306. Acts 2007, No. 1592, § 1.
- 6-61-1307. Acts 2007, No. 1592, § 1.
- 6-61-1308. Acts 2007, No. 1592, § 1.
- 6-61-1309. Acts 2007, No. 1592, § 1.
- 6-61-1310. Acts 2007, No. 1592, § 1.
- 6-61-1311. Acts 2007, No. 1592, § 1.
- 6-61-1312. Acts 2007, No. 1592, § 1.

SUBCHAPTER 14 — COMMON COURSE NUMBERING SYSTEM**SECTION.**

- 6-61-1401. Purpose.
- 6-61-1402. Courses included in common course numbering system.
- 6-61-1403. Additions or alterations.
- 6-61-1404. Course listings.

SECTION.

- 6-61-1405. Participation by institutions of higher education that are not state-supported.
- 6-61-1406. Courses review.
- 6-61-1407. Data collection.

Effective Dates. Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled ‘Funding and

classification of cabinet-level department secretaries’ and ‘Transformation and Efficiencies Act transition team’ should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

6-61-1401. Purpose.

The Arkansas Higher Education Coordinating Board, in collaboration with all state-supported institutions of higher education, shall implement a statewide common course numbering system that:

- (1) Provides improved program planning;
- (2) Increases communication among all delivery systems;
- (3) Facilitates the transfer of students and credits between state-supported institutions of higher education; and
- (4) Promotes consistency in course designation and identification.

History. Acts 2011, No. 747, § 5.

6-61-1402. Courses included in common course numbering system.

(a)(1) The Arkansas Higher Education Coordinating Board, in collaboration with all state-supported institutions of higher education, shall develop and approve a statewide common course numbering system for lower-division general education courses found within the Arkansas Course Transfer System.

(2) A state-supported institution of higher education that is not in full compliance with this subchapter shall not be eligible to accept state aid from the Higher Education Grants Fund Account on behalf of a student.

(b)(1) A course designated as an upper-division course level may be offered by any four-year state-supported institution of higher education and shall be characterized by a need for advanced academic preparation and skills that a student would be unlikely to achieve without significant prior coursework.

(2) Upper-division courses are not required to be included in the common course numbering system.

(c) A course designated as a lower-division course level may be offered by any state-supported institution of higher education.

(d) The common course numbering system shall include the thirty-five-hour general education core and major program prerequisites that are included in the state minimum core curriculum under § 6-61-231.

History. Acts 2011, No. 747, § 5.

6-61-1403. Additions or alterations.

(a) The Director of the Division of Higher Education shall recommend to the Arkansas Higher Education Coordinating Board any additions or alterations to the common course numbering system.

(b) The board, with input from the Presidents Council, shall consider the recommended additions and alterations to the common course numbering system.

(c) The board may adopt or refuse to adopt suggested additions or alterations to the common course numbering system.

History. Acts 2011, No. 747, § 5; 2019, substituted "Division of Higher Education" for "Department of Higher Education" in (a).

Amendments. The 2019 amendment

6-61-1404. Course listings.

Each state-supported institution of higher education shall include the common course numbers approved by the Arkansas Higher Education Coordinating Board in all:

- (1) Course listings;
- (2) Course documents;
- (3) Catalogs;
- (4) Websites; and

- (5) Other published materials that designate course listings.

History. Acts 2011, No. 747, § 5.

6-61-1405. Participation by institutions of higher education that are not state-supported.

An institution of higher education that is not state-supported may participate in the common course numbering system if the institution has approved courses listed in the state minimum core curriculum under § 6-61-231.

History. Acts 2011, No. 747, § 5.

6-61-1406. Courses review.

The Division of Higher Education shall:

- (1) Regularly schedule reviews of courses that are listed in the common course numbering system;
- (2) Establish review procedures; and
- (3) Adopt policies to carry out this section.

History. Acts 2011, No. 747, § 5; 2019, No. 910, § 1995.

Amendments. The 2019 amendment

substituted "Division of Higher Education" for "Department of Higher Education" in the introductory language.

6-61-1407. Data collection.

(a) The Division of Higher Education shall adopt policies for the collection of data to ensure that all institutions of higher education that participate in the common course numbering system comply with this subchapter.

(b) The division shall determine the data to be collected and annually notify each participating institution of higher education in a timely manner.

History. Acts 2011, No. 747, § 5; 2019, No. 910, § 1996.

Amendments. The 2019 amendment substituted "Division of Higher Educa-

tion" for "Department of Higher Education" in (a); and substituted "division" for "department" in (b).

SUBCHAPTER 15 — ELECTRICAL ENERGY ADVANCEMENT PROGRAM

SECTION.

6-61-1501. Arkansas Statewide Energy Consortium.

6-61-1502. Electrical Energy Advancement Program Fund Board.

SECTION.

6-61-1503. Duties.

A.C.R.C. Notes. Acts 2011, No. 1232, § 1, effective July 27, 2011, provided:

"Legislative intent.

"(a) The purpose of this subchapter is

to provide state support for the Electrical Energy Advancement Program for institutions of higher education.

“(b) The General Assembly finds that the Electrical Energy Advancement Program:

“(1) Is identified as a key competency for Arkansas in the Battelle study commissioned by the Arkansas Research Alliance;

“(2) Will focus on education, research, and economic development in the electrical energy sector to capitalize on one (1) of Arkansas’s core technology competencies;

“(3) Is vital to the economic development of Arkansas; and

“(4) Is expected to be a source of tremendous job growth within Arkansas over the next decade.”

Acts 2011, No. 1232, § 4; July 27, 2011, provided: “The provisions of this act shall expire six (6) years from the effective date of the act unless extended by the General Assembly.”

Effective Dates. Acts 2015 (1st Ex. Sess.), Nos. 7 and 8, § 153: July 1, 2015. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Building Authority, the Arkansas Science and Technology Authority, the Department of Rural Services, and the Division of Land Surveys of the Arkansas Agricul-

ture Department are inefficiently structured; that this inefficient structuring causes an excessive and unnecessary cost to the taxpayers of the this state; and that this act is essential to alleviating that financial burden. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2015.”

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled ‘Funding and classification of cabinet-level department secretaries’ and ‘Transformation and Efficiencies Act transition team’ should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

6-61-1501. Arkansas Statewide Energy Consortium.

(a) There is created the Arkansas Statewide Energy Consortium consisting of the:

- (1) University of Arkansas, Fayetteville;
- (2) University of Arkansas, Little Rock; and
- (3) Arkansas State University, Jonesboro.

(b)(1) The consortium shall be headquartered at the University of Arkansas, Fayetteville, National Center for Reliable Electric Power Transmission.

(2) The University of Arkansas, Fayetteville, shall administer the Electrical Energy Advancement Program Fund.

History. Acts 2011, No. 1232, § 2.

6-61-1502. Electrical Energy Advancement Program Fund Board.

(a) The Electrical Energy Advancement Program Fund Board is created to make recommendations to the Arkansas Statewide Energy Consortium regarding the allocation of funds for the programs approved under this subchapter.

(b) The board is composed of fifteen (15) members as follows:

(1)(A) The Executive Director of the National Center for Reliable Electric Power Transmission or the executive director's designee, who shall serve as chair of the board and represent the University of Arkansas at Fayetteville.

(B) The chair shall be a regular voting member with one (1) vote;

(2) Seven (7) of the members from the private electrical energy sector;

(3) Three (3) of the members from the United States Department of Energy national laboratories;

(4) One (1) member who is designated by Arkansas State University;

(5) One (1) member who is designated by the University of Arkansas at Little Rock;

(6) The Director of the Arkansas Economic Development Commission or his or her designee; and

(7) One (1) member who is designated by the Arkansas Public Service Commission.

(c)(1) Each private electrical energy sector member of the board shall:

(A)(i) Be from an organization that is:

(a) Involved in the generation, transmission, or distribution of electricity; or

(b) Engaged in the design or manufacturing of electrical equipment for the generation, transmission, distribution, or power conversion of electricity including electrified transportation.

(ii) An individual under this subdivision (c)(1)(A) shall have experience managing an organization that meets the description of this subdivision (c)(1)(A); and

(B) Have obtained at least an undergraduate degree from a four-year institution of higher education in science or engineering.

(2) Each national laboratory member of the board shall:

(A) Be from a national laboratory group directly involved in the research and development of advanced technologies for the electric power grid; and

(B) Have obtained at least an undergraduate degree from a four-year institution of higher education in science or engineering.

(d)(1) The chair shall seek nominations for the initial list of private electrical energy sector and national laboratory board members from:

(A) Each member of the board who is not from the private electrical energy sector or a national laboratory; and

(B) The Governor.

(2) From the recommendations, the chair will nominate the initial private electrical energy sector and national laboratory board members to the balance of the board for consideration and appointment to the board.

(e)(1) Except for the initial terms identified under this subsection, each private electrical energy sector and national laboratory board member shall serve a four-year term, with a maximum of two (2) consecutive four-year terms.

(2) The initial terms of the private electrical energy sector board members shall be as follows:

(A) One (1) member shall serve a one-year term;

(B) Two (2) members shall serve a two-year term;

(C) Two (2) members shall serve a three-year term; and

(D) Two (2) members shall serve a four-year term.

(3) The initial terms of the national laboratory board members shall be as follows:

(A) One (1) member shall serve a two-year term;

(B) One (1) member shall serve a three-year term; and

(C) One (1) member shall serve a four-year term.

(4) The chair shall determine the terms of the initial private and national laboratory members of the board.

(5) Each member may be reappointed from time to time thereafter to serve no more than a maximum of eight (8) consecutive years including his or her initial term.

(f) Successors to the initial private electrical energy sector and national laboratory board members shall be nominated by the chair upon recommendation by the board.

(g) Members of the board who are not private electrical energy sector or national laboratory board members shall serve at the pleasure of the entities where they are employed.

(h)(1) The chair shall call the first meeting of the board not less than three (3) months after funding is received in the Electrical Energy Advancement Program Fund.

(2) Subsequent meetings shall be held on the call of the chair and shall convene at the National Center for Reliable Electric Power Transmission.

(i) A quorum shall consist of not less than a majority of the voting membership of the board, and the affirmative vote of that number is necessary for the disposition of the board's business.

(j)(1) Members of the board shall receive no pay for services with respect to attendance at each regular or special meeting of the board.

(2)(A) However, if funds are appropriated for the purpose and subject to board approval, members are entitled to reimbursement under § 25-16-902 for each day the board is in session.

(B) Reimbursement is in an amount equal to the maximum daily allowance for meals and lodging paid as provided by law to a state employee for in-state travel plus mileage at the rate per mile provided by law for the reimbursement of mileage expense for state

employees for travel from their homes to the place of the meeting and their return.

(k) The National Center for Reliable Electric Power Transmission shall provide staff for the board.

History. Acts 2011, No. 1232, § 2; 2015 (1st Ex. Sess.), No. 7, § 73; 2015 (1st Ex. Sess.), No. 8, § 73; 2019, No. 910, § 165.

A.C.R.C. Notes. Acts 2015 (1st Ex. Sess.), Nos. 7 and 8, § 62, provided: "Transfer of the Arkansas Science and Technology Authority.

"(a)(1) The Arkansas Science and Technology Authority is transferred to the Arkansas Economic Development Commission by a type 2 transfer under § 25-2-105.

"(2) For the purposes of this act, the commission is the principal department under Acts 1971, No. 38.

"(b) The statutory authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, and other funds, including the functions of budgeting or purchasing, of the authority are trans-

ferred to the commission, except as specified in this act.

"(c) The prescribed powers, duties, and functions, including rulemaking, regulation, and licensing; promulgation of rules, rates, regulations, and standards; and the rendering of findings, orders, and adjudication of the authority are transferred to the executive director of the commission, except as specified in this act.

"(d) The members of the Board of Directors of the Arkansas Science and Technology Authority, and their successors, shall continue to be selected in the manner and serve for the terms provided by the statutes applicable to the board except as specified in this act."

Amendments. The 2019 amendment substituted "Director of the Arkansas Economic Development Commission" for "Executive Director of the Arkansas Economic Development Commission" in (b)(6).

6-61-1503. Duties.

(a)(1) The Electrical Energy Advancement Program Fund Board shall make recommendations to the Arkansas Statewide Energy Consortium concerning the funding, funding ratios, and maximum amounts to be made available among the proposals and programs for:

(A) Competitive undergraduate scholarships for Arkansas residents in the field of electrical and electronic engineering at the member universities of the consortium, to be given in accordance with institutional guidelines; and

(B) Competitive graduate fellowships for master's and doctoral students in electrical and electronic engineering at member universities of the consortium, to be given in accordance with institutional guidelines with preference given to Arkansas residents.

(2) One-time project costs may include without limitation the cost of:

(A) Facilitating the hiring of new tenure-track faculty at each of the consortium member institutions to increase the capacity and expertise of each university to:

(i) Perform research; and

(ii) Successfully return that research to the classroom for the benefit of the entire consortium;

(B) Expediting economic development through research by providing startup funds for successful applicants;

(C) Continuing education programs to serve practicing engineers in the energy sector whose professional licensure or registration

requires at least fifteen (15) hours of continuing education annually; and

(D) Collaborative research projects between and among the consortium member institutions.

(b) The board may base its recommendations for use of the funds on a proposal's:

(1) Technical merit;

(2) Potential impact on the state's economic growth; and

(3) Potential for strengthening the state's electrical energy education programs.

(c)(1) Annually by June 30, the board shall:

(A) Report its actions to the Governor; and

(B) Provide a copy of the report to the agencies included in the report's recommendations.

(2) The board may provide the report required under this subsection by electronic means or by a printed copy.

(d) The board shall promulgate rules to implement this section.

History. Acts 2011, No. 1232, § 2.

SUBCHAPTER 16 — ARKANSAS ENERGY SUMMARY AND REPORT

SECTION.

6-61-1601. Findings.

6-61-1602. Institutional Energy Research Committee — Creation — Purpose.

SECTION.

6-61-1603. Arkansas Energy Summary and Report.

Effective Dates. Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled 'Funding and

classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-61-1601. Findings.

The General Assembly finds that:

(1) There is a need to create and promote a comprehensive energy summary and report for the state.

(2) The collaboration of all state-supported institutions of higher education that participate in energy research activities is vital to ensure an orderly and effective set of data and other research necessary

to promote energy conservation and develop alternative energy sources on a statewide level.

History. Acts 2013, No. 280, § 1.

6-61-1602. Institutional Energy Research Committee — Creation — Purpose.

(a) The Arkansas Higher Education Coordinating Board shall coordinate the efforts of all state-supported institutions that participate in energy research activities in the development of the Arkansas Energy Summary and Report.

(b) The Division of Higher Education, in collaboration with state-supported institutions of higher education that participate in energy research activities, shall appoint at least one (1) member of the research faculty at each state-supported institution of higher education that participates in energy research activities to serve on the Institutional Energy Research Committee.

(c)(1) The purpose of the committee is to coordinate ongoing energy research efforts taking place at each state-supported institution of higher education and create the Arkansas Energy Summary and Report.

(2) The committee shall modify the Arkansas Energy Summary and Report as necessary to ensure it is updated with the latest energy research available.

History. Acts 2013, No. 280, § 1; 2019, substituted “Division of Higher Education” for “Department of Higher Education” in (b).
No. 910, § 1997.

Amendments. The 2019 amendment

6-61-1603. Arkansas Energy Summary and Report.

(a) The Institutional Energy Research Committee shall create and adopt the Arkansas Energy Summary and Report that includes without limitation the:

(1) Energy production and usage in Arkansas, including:

(A) Current sources of energy in Arkansas by percentage and cost;

(B) Current energy demand and percentage of use of each energy source, including the production capacity of each energy source;

(C) Projected energy use for the next:

(i) Ten (10) years; and

(ii) Twenty (20) years;

(D) Current and projected cost per kilowatt of additional energy production capabilities for the following energy sources:

(i) Coal;

(ii) Hydroelectric;

(iii) Natural gas;

(iv) Nuclear;

(v) Solar;

(vi) Wind;

- (vii) Lignite; and
- (viii) Other; and
- (E) Environmental challenges and the impact of each energy source listed in subdivision (a)(1)(D) of this section;
- (2) Energy production capacity compared to projected energy growth;
- (3) Economical methods for additional energy sources into the market; and
- (4) Current and possible tax incentives or governmental policies to promote an increase in energy production capacity for state energy consumption or export to other states.
- (b) The committee shall submit the Arkansas Energy Summary and Report and relevant data, research, and findings to the Joint Committee on Energy no later than July 1, 2014.

History. Acts 2013, No. 280, § 1.

SUBCHAPTER 17 — HIGHER EDUCATION CONSUMER GUIDE ACT

SECTION.

6-61-1701. Title.

6-61-1702. Definitions.

SECTION.

6-61-1703. Higher Education Consumer Guide.

6-61-1701. Title.

This subchapter shall be known and may be cited as the “Higher Education Consumer Guide Act”.

History. Acts 2021, No. 539, § 1.

6-61-1702. Definitions.

As used in this subchapter:

- (1) “Peer institution of higher education” means an in-state or out-of-state state-supported institution of higher education that is selected to be used for comparative analysis and benchmarking of institutional qualities; and
- (2) “State-supported institution of higher education” means a state-supported two-year or four-year college or university.

History. Acts 2021, No. 539, § 1.

6-61-1703. Higher Education Consumer Guide.

- (a)(1) The Arkansas Higher Education Coordinating Board shall create a Higher Education Consumer Guide that is designed for use by prospective students and parents and legal guardians of prospective students at a state-supported institution of higher education.
- (2) The Higher Education Consumer Guide created by the board under subdivision (a)(1) of this section shall be provided to each state-supported institution of higher education for use in the prospec-

tive student application process at each state-supported institution of higher education.

(b) The Higher Education Consumer Guide created by the board under subdivision (a)(1) of this section shall identify the:

(1) Institutional grouping to which each state-supported institution of higher education is assigned under the board's accountability system; and

(2) Peer institutions of higher education associated with each state-supported institution of higher education.

(c)(1) The Higher Education Consumer Guide created by the board under subdivision (a)(1) of this section shall include the following information without limitation as it relates to the most recent state fiscal year for which the information is available:

(A) Retention and graduation rates;

(B) The cost of tuition;

(C) The average amount borrowed and loan default rate;

(D) Percentage of students who applied for first-time undergraduate admission and were offered admission to each state-supported institution of higher education that is not determined to be an open admission institution;

(E) Average composite test scores of students enrolled in each state-supported institution of higher education;

(F) Job placement of students within the first three (3) years of graduation;

(G) Income of college alumni over the first twenty (20) years after completion of their credential;

(H) Percentage of students enrolled at each state-supported institution of higher education from the top ten percent (10%) of a public high school class located in Arkansas; and

(I) Average number of semesters for completion of an associate's or bachelor's credential at the institution.

(2) Information provided under subdivision (c)(1) of this section shall be compiled using data from the following sources without limitation:

(A) The Division of Higher Education;

(B) The Integrated Postsecondary Education Data System, published by the National Center for Education Statistics;

(C) The College Scorecard;

(D) The Arkansas Economic Security Report; and

(E) The Arkansas State Longitudinal Data System and interstate compacts for the sharing of employment data when reasonably available upon the establishment of the Arkansas State Longitudinal Data System.

(3) Information provided under subdivision (c)(1) of this section shall be compared with the same information that is available for the state fiscal year preceding:

(A) The most recent state fiscal year; and

(B) The reports for the most recent five (5) years.

- (d) A prospective student shall verify that he or she has been provided the Higher Education Consumer Guide before completing an application to a state-supported institution of higher education.
- (e) The Higher Education Consumer Guide required by this section shall be made publicly available on the:
- (1) Board’s website; and
 - (2) Website of each state-supported institution of higher education.
- (f) The division shall promulgate rules to implement this subchapter.

History. Acts 2021, No. 539, § 1.

CHAPTER 62

PROPERTY AND FINANCES OF STATE INSTITUTIONS

SUBCHAPTER.

- 1. GENERAL PROVISIONS.
- 2. EMINENT DOMAIN.
- 3. FACILITIES — CONSTRUCTION OR PURCHASE.
- 4. FACILITIES — USE.
- 5. TRUST CONVEYANCES.
- 6. TRANSFER OR LEASE OF PROPERTY.
- 7. ARKANSAS COLLEGE SAVINGS BOND ACT.
- 8. ATHLETIC PROGRAMS.
- 9. ARKANSAS TUITION TRUST AUTHORITY. [REPEALED.]
- 10. WORKERS’ COMPENSATION INSURANCE.
- 11. HIGHER EDUCATION TECHNOLOGY AND FACILITY IMPROVEMENT.

RESEARCH REFERENCES

Am. Jur. 15A Am. Jur. 2d, Colleges & Univ., § 35 et seq.

C.J.S. 14A C.J.S., Colleges & Univ., § 6 et seq.

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

- 6-62-101. Sale of water.
- 6-62-102. Military training property and equipment.
- 6-62-103. Endowment of chairs — Attraction of exceptionally qualified academic and nonacademic personnel.
- 6-62-104. [Repealed.]
- 6-62-105. Private borrowing by institutions of higher education.

SECTION.

- 6-62-106. Uniform reporting of athletic expenditures.
- 6-62-107. Reduction of state funds expended on remediation.
- 6-62-108. Housing allowances.
- 6-62-109. Annual certification of solvency — Calculation of number of days of cash on hand.

Effective Dates. Acts 1955, No. 176, § 3: Mar. 8, 1955. Emergency clause provided: "It is hereby determined by the General Assembly that the educational institutions of this State that offer military training are in need of immediate passage of law authorizing such agencies to enter into agreements with the Federal Government relative to the use of property and equipment in such military training courses, and that the passage of this act is necessary to grant such authority. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1985, No. 335, § 4: Mar. 12, 1985. Emergency clause provided: "It is hereby found and determined by the Seventy-Fifth General Assembly that private contributors should be encouraged to support Arkansas higher education institutions; that such contributions will enhance the quality of academic and research efforts of said institutions; and that allowances are necessary to attract nationally recognized academic personnel. Therefore, an emergency is hereby declared to exist, and this Act being immediately necessary for the preservation of public peace, health, and safety, shall be in full force and effect from and after its passage and approval."

Acts 1987, No. 367, § 4: Mar. 23, 1987. Emergency clause provided: "It is hereby found and determined by the General Assembly that the inability of the State Institutions of Higher Education to borrow from the State Budget Revolving Fund has created serious financial difficulties for many institutions and that alternative means must be found to maintain Arkansas' Institutions of Higher Education in sound fiscal condition. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval."

Acts 1997, No. 112, § 40: Feb. 7, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 10 of the First Extraordinary Session of 1995 abolished the Joint Interim Committee on Education and in its place established the House Interim

Committee and Senate Interim Committee on Education; that various sections of the Arkansas Code refer to the Joint Interim Committee on Education and should be corrected to refer to the House and Senate Interim Committees on Education; that this act so provides; and that this act should go into effect immediately in order to make the laws compatible as soon as possible. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 1999, No. 998, § 5: Mar. 31, 1999. Emergency clause provided: "It is hereby found and determined by the Eighty-second General Assembly that private contributors should be encouraged to support Arkansas higher education institutions; that such contributions will enhance the quality of academic and research efforts of said institutions and further will enhance the ability of said institutions to attract and retain exceptionally qualified nonacademic personnel; and that competitive salaries are necessary to attract nationally recognized academic and nonacademic personnel. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2007, No. 1229, § 45: July 1, 2007. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1,

2007 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2007 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2007.”

Acts 2009, No. 571, § 2: Mar. 24, 2009. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that state-supported institutions of higher education are faced with financial hardship due to the struggling economic climate; that state-supported institutions of higher education play a key role in the future prosperity of the state; that insufficiently funded institutions of higher education risk irreparable harm to the economy of this state; and that this act is immediately necessary to ensure the financial health of state-supported institutions of higher education in this struggling economy. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) the date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill; (3) If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.”

Acts 2011, No. 1065, § 43: July 1, 2011. Emergency clause provided: “It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2011 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2011 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2011.”

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled ‘Funding and classification of cabinet-level department secretaries’ and ‘Transformation and Efficiencies Act transition team’ should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

6-62-101. Sale of water.

(a)(1) State-supported institutions of higher education are authorized to perform contracts with private persons, made and entered into prior to June 10, 1965, whereby the institutions have agreed to furnish surplus water to those persons from supplies owned by the institutions.

(2) However, state-supported institutions of higher education shall not make or enter into any new contract or renewal of an existing contract to furnish water to any private person from supplies owned by the institutions.

(3) Any such institution of higher education may cease to furnish water to any private person being furnished surplus waters if the board of the institution shall determine that the water is needed for the purposes of the institution.

(b) The provisions of this section shall not be applicable to the Main Agricultural Experiment Station of the University of Arkansas or any other research facilities of the University of Arkansas.

(c) Any contract or renewal of a contract made and entered into in violation of the terms of this section shall be void.

History. Acts 1965, No. 388, §§ 1, 2;
A.S.A. 1947, §§ 80-3335, 80-3336.

6-62-102. Military training property and equipment.

(a) The governing board of each state educational institution has authority to:

(1) Enter into contracts for the use of property and equipment for military training purposes; and

(2) Enter into any mutually agreeable contract incidental thereto as may be required by federal law or regulations of the United States Secretary of the Army, the United States Secretary of the Navy, or the United States Secretary of the Air Force, or other federal officer or agency, for the care and safekeeping of such property and equipment, or for similar purposes; and

(3) Make reimbursement for such property and equipment.

(b) The cost of any bonds or security and reimbursements shall be paid from funds available for the operation of the institution or school district. This includes, but is not limited to, the authority to obligate any funds available, whether by appropriation or otherwise, for the purpose of executing bonds to secure the safekeeping and return of United States Government property issued in connection with military training purposes.

History. Acts 1955, No. 176, § 1; A.S.A. 1947, § 80-3317.

Publisher's Notes. Acts 1955, No. 176, § 1, is also codified as § 6-21-103.

6-62-103. Endowment of chairs — Attraction of exceptionally qualified academic and nonacademic personnel.

(a)(1) Private contributors to state-supported colleges and universities frequently designate their gifts for the purpose of endowing academic chairs or attracting personnel with exceptional qualifications.

(2) In order to appropriately compensate these individuals from private funds contributed for such purposes, special provisions for payments exceeding maximum authorized compensation levels are necessary.

(b) The board of trustees of any state-supported college or university in Arkansas may authorize salary or salary-related payments to individuals from funds contributed for such purposes which exceed the

maximum for positions established by state law, subject to the limitations established in this section.

(c) In order for the board to authorize additional payments as established in subsection (b) of this section, the individuals to receive the payments must be:

- (1) Selected and recommended by the appropriate department;
- (2) Approved by appropriate administrative personnel, the president, and the board; and
- (3)(A) The holders of academic or research chairs endowed wholly or in part by contributions from sources other than public funds;
- (B) Exceptionally qualified academic or nonacademic personnel; or
- (C) Visiting academic/research faculty members for a specified period whose service is endowed or supported wholly or in part by contributions from sources other than public funds.

(d) All funds paid to any individual above the maximum established by law as authorized in this section must come from private contributions or from the proceeds from private contributions designated for such purposes.

(e)(1) The provisions of this section are supplemental to the fiduciary authority and powers of boards of trustees of public colleges and universities to expend funds as public trustees for the benefit of the institution to attract and retain exceptionally qualified academic and nonacademic employees.

(2) Nothing in this section shall prohibit or be construed to prohibit boards of trustees of public colleges and universities from authorizing salary or salary-related payments to exceptionally qualified academic or nonacademic personnel in excess of the maximum established by law or from approving or ratifying such payments previously made provided that the amount of any such payment above the maximum established by law and only such amount must come from private contributions or from the proceeds from private contributions designated for such purposes.

History. Acts 1985, No. 335, §§ 1-3; 3394.2; Acts 1991, No. 822, § 1; 1999, No. A.S.A. 1947, §§ 80-3394, 80-3394.1, 80-998, § 1.

6-62-104. [Repealed.]

Publisher's Notes. This section, concerning transfer of appropriation, was repealed by Acts 2007, No. 1229, § 14. The section was derived from Acts 1983, No. 147, § 14; 1985, No. 845, § 2; A.S.A. 1947, § 80-5614.

6-62-105. Private borrowing by institutions of higher education.

(a)(1) Upon approval of the board of trustees of a state-supported institution of higher education, the Division of Higher Education, and the Chief Fiscal Officer of the State, a state-supported institution of higher education may borrow funds determined by the board to be necessary to continue the operation of the state-supported institution of

higher education from a private financial institution if the Revolving Loan Fund is insufficient, as certified by the Chief Fiscal Officer of the State, for a state-supported institution of higher education to participate in the fund.

(2) A state-supported institution of higher education shall not have outstanding loans in the aggregate under this section in excess of eighty-five percent (85%) of the total of the actual May and June general revenues distributed during the immediately preceding fiscal year to the state-supported institution of higher education.

(b)(1) The principal amount of the loans described in subsection (a) of this section shall be repaid from general revenues distributed to the state-supported institution of higher education during the months of May and June of the fiscal year in which the loans were obtained.

(2) All interest and other charges shall be paid from cash funds of the state-supported institution of higher education.

(c)(1) Notwithstanding subsections (a) and (b) of this section or § 19-4-705, the Chief Fiscal Officer of the State and the Director of the Division of Higher Education may authorize a state-supported institution of higher education to borrow funds from a private financial institution provided that the board of trustees certifies that borrowing funds from a private financial institution:

(A) Is required to continue essential operations of the state-supported institution of higher education into the following fiscal year; and

(B) Will be repaid not later than one hundred twenty (120) days after the start of the following fiscal year.

(2) The aggregate amount of funds borrowed from private financial institutions may not exceed the limits set in subsection (a) of this section.

(3) Upon repayment, the chief financial officer of the state-supported institution of higher education shall certify in writing to the Chief Fiscal Officer of the State and the director the:

(A) Date of the repayment; and

(B) Amount of the repayment.

(4) This subsection shall expire on June 30, 2011.

(d) The Chief Fiscal Officer of the State shall promulgate rules necessary for the implementation of this section.

History. Acts 1987, No. 367, §§ 1, 2; 2009, No. 571, § 1; 2019, No. 315, § 373; 2019, No. 910, §§ 1998, 1999.

Amendments. The 2019 amendment by No. 315 deleted "and regulations" following "rules" in (d).

The 2019 amendment by No. 910 substituted "Division of Higher Education"

for "Department of Higher Education" in (a)(1) and the introductory language of (c)(1).

Cross References. Revolving Loan Fund, § 19-5-907.

6-62-106. Uniform reporting of athletic expenditures.

(a) The Arkansas Higher Education Coordinating Board, with the assistance of Arkansas Legislative Audit, is authorized and directed to establish uniform reporting and auditing to report athletic costs and revenues of each state-supported institution of higher education.

(b) Such reports shall be subject to annual review by the Legislative Joint Auditing Committee and shall be made public by the board.

(c) The uniform report shall include the following definitions:

(1) "Athletic expenditures" means all direct and indirect expenses, prorated if necessary, including salaries, all fringe benefits such as medical and dental insurance, workers' compensation, pension plans, tuition waivers, and any other costs associated with recruitment and retention of staff, travel, equipment, scholarships, meals, housing or dormitory, supplies, property and medical insurance, medical expenses, utilities, and maintenance of facilities related to all intercollegiate teams and spirit groups excluding bands; and

(2) "Income" means all direct income from gate receipts, revenues from related concession sales, advertising and media revenue, gifts from private donors, deposited and expensed by the athletic account, and any fees in addition to regular tuition and fees paid by students as approved for support of the intercollegiate athletic program pursuant to procedures prescribed by the board, and all transfers from other funds or accounts.

(d) The board shall report to the Legislative Council or the Joint Budget Committee the failure of an institution to report athletic costs and revenue utilizing the uniform report required by this section.

(e) All state-supported institutions of higher education shall report athletic costs and revenues utilizing the uniform report developed by the board by October 1 of each year.

(f) The board shall compile the reports and make them available to the Legislative Joint Auditing Committee and the public by November 1 of each year.

History. Acts 1989, No. 245, §§ 1, 2.

6-62-107. Reduction of state funds expended on remediation.

(a) As a condition for receiving state funds, all public two-year and four-year institutions of higher education shall report the following information by October 1 of each year to the Division of Higher Education in a format developed by the division in consultation with the institutions:

(1) The total direct and indirect costs of remediation for the previous academic year; and

(2) All sources of revenue, by amount and source, used to fund direct and indirect costs of all remedial courses and programs.

(b) The division shall develop a system to calculate the total amount of state funds spent on remediation of first-time entering freshmen students.

(c) The amount spent on remediation at public four-year educational institutions shall not exceed the amount spent as of the 1996-1997 school year.

History. Acts 1993, No. 1141, §§ 1-4; 1997, No. 112, § 20; 1999, No. 508, § 5.

6-62-108. Housing allowances.

The board of trustees of each state-funded, four-year university may approve a housing allowance not to exceed one thousand five hundred dollars (\$1,500) per month for the president or the chancellor of the university. The allowance shall be in lieu of any state-owned housing provided for the presidents and the chancellors.

History. Acts 1999, No. 240, § 1; 2007, No. 1041, § 2.

Cross References. Housing allowance, § 6-64-110.

6-62-109. Annual certification of solvency — Calculation of number of days of cash on hand.

(a) Annually, the board of trustees and the president or chancellor of each state-supported institution of higher education shall certify to the Chief Fiscal Officer of the State and the Legislative Council that as of December 31, sufficient appropriations and funds:

(1) Are available to meet all current and anticipated obligations for the current fiscal year as the obligations become due; or

(2) Will become available to meet all current and anticipated obligations for the current fiscal year as the obligations become due.

(b) The certification from each state-supported institution of higher education shall be:

(1) Signed by the chair of the board of trustees and the president or chancellor;

(2) Sent no later than February 28 or upon release of the previous year's audit by Arkansas Legislative Audit to the Chief Fiscal Officer of the State and the Legislative Council;

(3) Accompanied by the published annual financial statement for the preceding fiscal year approved by the board of trustees; and

(4)(A) Accompanied by a calculation of the number of days of cash on hand prepared by the chief financial officer of each state-supported institution of higher education for the preceding fiscal year.

(B) Subdivision (b)(4)(A) of this section does not apply to the University of Arkansas for Medical Sciences.

(c) The Arkansas Higher Education Coordinating Board shall develop rules to implement this section.

History. Acts 2011, No. 1065, § 38; 2021, No. 69, § 4.

Amendments. The 2021 amendment added “Calculation of number of days of cash on hand” in the section heading;

inserted “of trustees” in (b)(1) and (b)(3); substituted “Arkansas Legislative Audit” for “the Division of Legislative Audit” in (b)(2); and added (b)(4) and (c).

SUBCHAPTER 2 — EMINENT DOMAIN

SECTION.

6-62-201. Grant of power to certain colleges and universities —
Condemnation proceedings.

Effective Dates. Acts 1961, No. 167, § 5: Mar. 6, 1961. Emergency clause provided: “Whereas the enrollment of students at the University of Arkansas, and other state colleges named herein, has increased within recent months and will probably continue to increase; and whereas the service obligations of the University and such state colleges are in a period of growth and expansion; and whereas the present facilities of said University and such state colleges are not now sufficient to accommodate adequately the resident instruction and other service phases of the activities of the University and such state colleges; and whereas it may be that property located conveniently for the University and other state colleges’ public uses may not be available except through condemnation; now, therefore, it is hereby determined that an emergency exists and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.”

Acts 1997, No. 539, § 5: Mar. 17, 1997. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the present laws relating to the power of public institutions of higher education to acquire property by eminent domain should be clarified and lack of immediate clarification could result in public institutions of higher education being unable to acquire property necessary for the use and benefit of such institutions. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.”

6-62-201. Grant of power to certain colleges and universities —
Condemnation proceedings.

- (a)(1) The right and power of eminent domain is granted to the Board of Trustees of the University of Arkansas and to the respective boards of trustees of Arkansas Tech University and University of Central Arkansas, hereinafter referred to as “state colleges,” to condemn property whenever and wherever the acquisition of property is necessary for the use of the institutions.
- (2) However, before this right and power are utilized in any individual case, the appropriate board of trustees shall exercise every reasonable effort to obtain the property in question at a reasonable price by negotiation, and the trial court shall so find.

(3) The power of eminent domain granted to the Board of Trustees of the University of Arkansas shall not be applicable to the acquisition of lands for agricultural experiment stations of the University of Arkansas except in the county in which the main campus of the University of Arkansas is located.

(b) All suits for the condemnation of property under the provisions of this section shall be brought in the name of the Board of Trustees of the University of Arkansas or in the name of the respective boards of trustees of the other state colleges designated in subdivision (a)(1) of this section.

(c)(1) Before any suit may be instituted, it shall be necessary for the board of trustees to pass a resolution to the effect that the acquisition of the property sought to be condemned is necessary for the use and benefit of the public institution.

(2) The resolution shall also set forth the purpose for which the lands are to be condemned, the legal description of the lands, and the names of the owners, if known.

(d)(1) The procedure to be followed except as otherwise provided in this section, for the purposes of this section is that prescribed in §§ 18-15-301 — 18-15-307, inclusive, for the exercise of eminent domain by municipal corporations and counties.

(2) It shall be no objection to the exercise of the power of eminent domain that the property to be condemned is a cemetery provided that the purpose for which the cemetery is being taken is for buildings, facilities, grounds, or other purposes necessary for the use and benefit of the public institution.

(e)(1) The board of trustees may request the prosecuting attorney of the district in which the lands sought to be condemned are located to initiate or assist in the legal proceedings instituted under this section.

(2) If so requested, it shall then be the duty of the prosecuting attorney to comply with the request of the board of trustees.

(3) It shall be the duty of the Attorney General, if requested, to represent the board of trustees on appeals taken to the Supreme Court from any such action instituted.

History. Acts 1961, No. 167, §§ 1-4; A.S.A. 1947, §§ 80-3318 — 80-3321; Acts 1997, No. 539, § 1.

Publisher's Notes. Acts 1971, No. 9, § 5, purported to amend Acts 1961, No. 167, § 1, by deleting the reference to "Arkansas Agricultural and Mechanical College" which had been abolished by Acts

1971, No. 9, § 3, but did not set out the amended portion that is required by Arkansas Constitution, Article 5, Section 23. The name of that institution was subsequently changed to the University of Arkansas at Monticello, and it is operated by the Board of Trustees for the University of Arkansas. See § 6-64-302.

CASE NOTES

Reasonable Effort.

Evidence sufficient to show trustees made reasonable effort to obtain certain

real estate by negotiation. *Kerr v. Raney*, 305 F. Supp. 1152 (W.D. Ark. 1969).

SUBCHAPTER 3 — FACILITIES — CONSTRUCTION OR PURCHASE

SECTION.

- 6-62-301. Construction of subchapter.
- 6-62-302. Building construction, purchase, etc., authorized.
- 6-62-303. Financing authority.
- 6-62-304. Temporary financing authorized.
- 6-62-305. Bonds or notes — Authorization to issue — Pledge of revenues, funds, etc.
- 6-62-306. Bonds or notes — Issuance on advice of Arkansas Higher Education Coordinating Board.
- 6-62-307. Bonds or notes — Execution.

SECTION.

- 6-62-308. Bonds or notes — Terms and conditions.
- 6-62-309. Bonds or notes — Liability.
- 6-62-310. Bonds or notes — Related agreements authorized.
- 6-62-311. Rents, tolls, fees, etc. — Rules authorized.
- 6-62-312. Valid outstanding obligations — Refinancing or refunding — Cancellation.
- 6-62-313. State agency for participation in federal grant programs.
- 6-62-314. Construction project exemption.

Cross References. Contractors' bonds, § 18-44-501 et seq.; § 22-9-401 et seq.

Preambles. Acts 1964 (1st Ex. Sess.), No. 16 contained a preamble which read: "Whereas, the Governor of the State of Arkansas pursuant to the applicable provision of the Higher Education Facilities Act of 1963 of the Congress of the United States of America has heretofore designated the Commission on Coordination of Higher Educational Finance as the State Agency of the State of Arkansas for the purpose of participating in the grant program under Title I of said Federal Act; and

"Whereas, the purpose of this Act is to confirm said designation and to confer additional authority and powers upon the Commission on Coordination of Higher Educational Finance as may be necessary or desirable in connection therewith;

"Now, therefore ... "

Effective Dates. Acts 1947, No. 62, § 9: approved Feb. 14, 1947. Emergency clause provided: "It is found and declared that there is an acute shortage of housing and other facilities in the schools referred to in section 1 of this act by reason of the great increase in their student bodies; that only the provisions of this act will expedite the construction of the buildings referred to herein and relieve the shortage; that for these reasons it is necessary for the preservation of the public peace, health and safety that this act shall become effective without delay. It is, therefore, declared that an emergency exists and that this act shall take effect and be in full force from and after its passage."

Acts 1949, No. 320, § 4: approved Mar. 19, 1949. Emergency clause provided: "It has been found and it is hereby determined by the General Assembly that there is an acute shortage of housing and other facilities in the schools referred to in Section 1 of this Act by reason of the great increase in their student bodies; that only by this Act can the said shortage of housing and other facilities in the schools be promptly remedied and for that reason it should take effect without delay; and for said reason it is hereby declared necessary for the preservation of the public peace, health and safety that this Act should become effective without delay. An emergency, therefore, is declared to exist and this Act shall take effect and be in force from and after its passage."

Acts 1951, No. 313, § 5: approved Mar. 19, 1951. Emergency clause provided: "It has been found and it is hereby determined by the General Assembly that there is an acute shortage of housing and other facilities in the schools referred to in Section 1 of this Act by reason of the great increase in their student bodies; that only by this Act can the said shortage of housing and other facilities in the schools be promptly remedied and for that reason this Act should take effect without delay; and for said reason it is hereby declared necessary for the preservation of the public peace, health and safety that this Act should become effective without delay. An emergency, therefore, is declared to exist and this Act shall take effect and be in force from and after its passage."

Acts 1957, No. 10, § 3: approved Feb. 1, 1957. Emergency clause provided: "It is hereby determined by the General Assembly that there is an acute shortage of housing and other facilities at the state educational institutions of higher learning by reason of increasing enrollments; that the General Assembly has previously provided by law for the issuance of revenue obligations in the best judgment of the respective Boards of Trustees of these institutions but limited the issuance and refunding of such obligations to bear a maximum of four per centum (4%) interest; that the present condition of available credit is such that said authority is rendered useless since credit is not available at such a low rate of interest, whereupon it is determined to raise such maximum rate to five per centum (5%); that only by this Act can the shortage of housing and other facilities be remedied promptly; for that reason this Act should take effect without delay; and for said reason it is hereby declared necessary for the preservation of the public peace, health, and safety that this Act should become effective without delay. An emergency, therefore, is declared to exist and this Act shall take effect and be in force from and after its passage."

Acts 1959, No. 242, § 3: approved Mar. 25, 1959. Emergency clause provided: "It has been found and it is hereby declared that there is an acute shortage of housing and other facilities in the schools and colleges covered by this Act by reason of the great increase in their student bodies; that this Act is necessary to remedy said shortage of housing and other facilities; and for that reason it is hereby declared necessary for the preservation of the public peace, health and safety that this Act shall become effective without delay. An emergency, therefore, is declared to exist and this Act shall take effect and be in force from and after its passing."

Acts 1963, No. 59, § 2: Feb. 15, 1963. Emergency clause provided: "It has been found and it is hereby declared by the General Assembly that there is an acute shortage of parking facilities at the State institutions for higher education by reason of the great increase in the student bodies and the great increase in the use of automobiles by the students and faculty of said institutions; that said shortage of parking facilities adversely affects the

proper operation of said institutions and should be remedied at the earliest possible time; and that only by the immediate operation of this act may such condition be alleviated. Therefore, an emergency is hereby declared to exist, and this act being necessary for the preservation of the public peace, health and safety shall take effect and be in full force from and after its passage and approval."

Acts 1964 (1st Ex. Sess.), No. 16, § 5: Mar. 27, 1964. Emergency clause provided: "That it is hereby found and declared that academic facilities must be made available at institutions of higher education in this State in order to accommodate to the fullest extent possible, the youth who aspire to a higher education and that the things authorized and directed by this Act are necessary to the achievement of this public purpose. It is, therefore, declared that an emergency exists, and this Act, being necessary for the immediate preservation of the public peace, health and safety, shall take effect and be in force from and after its passage and approval."

Acts 1968 (1st Ex. Sess.), No. 8, § 6: Feb. 15, 1968. Emergency clause provided: "It is hereby found and determined by the General Assembly that money interest rates have increased significantly in recent years, that the maximum interest rate of five per cent (5%) prescribed by law on bonds issued by educational institutions is not adequate to permit such bonds to compete favorably in the bond market, and that it is immediately necessary to increase said maximum interest rate to 6% in order to correct this undesirable situation and to permit the accomplishment of the purpose for which such bonds are authorized by law. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in effect from the date of its passage and approval."

Acts 1969, No. 183, § 4: Mar. 7, 1969. Emergency clause provided: "It has been found and is hereby declared by the General Assembly of the State of Arkansas that the state supported colleges and universities of this State are, at the present time, not authorized to participate in certain programs of assistance to education made available by the government of the United States; that the availability of this

assistance is essential to the continued development of higher education in this State; and that only by the immediate effectiveness of this act can this purpose be accomplished. Therefore, an emergency is declared to exist and this act, being necessary for the preservation of the public peace, health and safety, shall take effect and be in force from and after its passage and approval."

Acts 1970 (1st Ex. Sess.), No. 30, § 5: Mar. 13, 1970. Emergency clause provided: "It has been found and is hereby declared by the General Assembly of the State of Arkansas that the financing of the public improvements to which this Act pertains is not feasible under existing maximum interest rate limitations, that the accomplishment of these public improvements is essential to the continued development of this State and the continued improvement of the economic conditions of her people, and that these public improvements can be accomplished only by the immediate effect of this Act. Therefore, an emergency is declared to exist and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval."

Acts 1975, No. 225, § 26: became law without Governor's signature, Feb. 19, 1975. Emergency clause provided: "It has been found and is hereby declared by the General Assembly of the state of Arkansas that the financing of the public improvements to which this Act pertains is not feasible under existing maximum interest rate limitations, that the accomplishment of these public improvements is essential to the continued development of this State and the continued improvement of the economic conditions of her people, and that these public improvements can be accomplished only by the immediate effect of this Act. Therefore, an emergency is declared to exist and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval."

Acts 1981, No. 425, § 54: Mar. 11, 1981. Emergency clause provided: "It has been found and is hereby declared by the General Assembly of the State of Arkansas that the financing of the public improvements to which this act pertains is not feasible under existing maximum interest rate limitations, that the accomplishment

of these public improvements is essential to the continued development of this state and the continued improvement of the economic conditions of her people, and that these public improvements can be accomplished only by the immediate effect of this act. Therefore, an emergency is declared to exist and this act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval."

Acts 2007, No. 1229, § 45: July 1, 2007. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2007 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2007 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2007."

Acts 2011, No. 1065, § 43: July 1, 2011. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2011 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2011 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2011."

Acts 2013, No. 1397, § 49: July 1, 2013. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of

funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2013 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2013 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2013.”

Acts 2015 (1st Ex. Sess.), Nos. 7 and 8, § 153: July 1, 2015. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Building Authority, the Arkansas Science and Technology Authority, the Department of Rural Services, and the Division of Land Surveys of the Arkansas Agriculture Department are inefficiently structured; that this inefficient structuring causes an excessive and unnecessary cost to the taxpayers of the this state; and that this act is essential to alleviating that financial burden. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2015.”

Acts 2016, No. 140, § 17: July 1, 2016. Emergency clause provided: “It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2016 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2016 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2016.”

Acts 2016, No. 141, § 15: July 1, 2016. Emergency clause provided: “It is found

and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2016 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2016 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2016.”

Acts 2017, No. 179, § 13: July 1, 2017. Emergency clause provided: “It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2017 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2017 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2017.”

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled ‘Funding and classification of cabinet-level department secretaries’ and ‘Transformation and Efficiencies Act transition team’ should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the

fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

Acts 2021, No. 18, § 23: Feb. 1, 2021. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that Henderson State University is scheduled for reaffirmation of accreditation based on requirements imposed by the regional Higher Learning Commission and federal regulations; that Henderson State University has already received from the Higher Learning Commission Board of Trustees one (1) extension of accreditation related to its Change of Control application wherein Henderson State University joins

the Arkansas State University system; and that this act is immediately necessary because Henderson State University must host a focused visit within a certain time-frame in order to receive reaffirmation of accreditation and become a member institution of the Arkansas State University system. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

6-62-301. Construction of subchapter.

This subchapter shall be liberally construed to effectuate the purposes thereof.

History. Acts 1947, No. 62, § 6; A.S.A. 1947, § 80-3316.

6-62-302. Building construction, purchase, etc., authorized.

(a) Subject to and in accordance with the terms of this subchapter, the boards of trustees of the University of Arkansas, Arkansas State University system, University of Central Arkansas, Henderson State University, Arkansas Tech University, and Southern Arkansas University, respectively, are authorized and empowered as public agencies of the State of Arkansas to:

(1) Construct buildings, structures, parking facilities, or other improvements which the board of trustees deems proper or suitable for the school and to purchase sites therefor, if necessary;

(2) Purchase for such purpose buildings already constructed and the tracts of land on which they are situated;

(3) Reconstruct, enlarge or repair, and equip any buildings or structures of the university, including, but not limited to, buildings or structures constructed or purchased under authority of this subchapter; and

(4) Purchase for such purposes and pay the expense of tearing down, removing to the school, reconstructing, and equipping houses, buildings, or structures.

(b) No board of trustees of such public institutions of higher education shall be required to obtain any prior review, consultation, approval, assistance, or advice from the Building Authority Division for projects

undertaken based on the foregoing powers and authority. Provided, however, nothing in this subsection shall prevent any board of trustees of such public institutions of higher education from entering into an agreement with the division to provide review, consultation, approval, assistance, or advice for such projects. However, public institutions of higher education exempt from project review, consultation, approval, assistance, or advice of the division shall remain subject to other laws governing public works, including without limitation § 19-4-1401 et seq. and § 22-9-101 et seq.

History. Acts 1947, No. 62, § 1; 1949, No. 320, § 1; 1951, No. 313, § 1; 1963, No. 59, § 1; 1969, No. 183, § 1; A.S.A. 1947, § 80-3311; Acts 2001, No. 961, § 1; 2015 (1st Ex. Sess.), No. 7, § 3; 2015 (1st Ex. Sess.), No. 8, § 3; 2019, No. 910, § 6055.

A.C.R.C. Notes. Acts 2015 (1st Ex. Sess.), Nos. 7 and 8, § 1, provided:

“Transfer of the Arkansas Building Authority to the Department of Finance and Administration.

“(a)(1) The Arkansas Building Authority is transferred to the Department of Finance and Administration by a type 2 transfer under § 25-2-105.

“(2) For the purposes of this act, the Department of Finance and Administration shall be considered a principal department established by Acts 1971, No. 38.

“(b) All authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, and other funds, including the functions of budgeting or purchasing, are transferred to the Department of Finance and Administration, except as specified by this act.

“(c) All powers, duties, and functions, including rulemaking, regulation, and licensing, promulgation of rules, rates, regulations, and standards, and the rendering of findings, orders, and adjudications are transferred to the Director of the Department of Finance and Administration.

“(d) The members of the Arkansas Building Authority Council, and their successors, shall continue to be selected in the manner and serve for the terms provided by the statutes applicable to the council except as specified in this act.

“(e) The Arkansas Code Revision Commission shall make appropriate name changes in the Arkansas Code to implement this act.”

Publisher's Notes. Acts 1971, No. 9, § 5, purported to amend Acts 1947, No. 62, § 1, by deleting the reference to “Arkansas Agricultural and Mechanical College” which had been abolished by Acts 1971, No. 9, § 1, but did not set out the amended portion that is required by Arkansas Constitution, Article 5, Section 23. The name of that institution was subsequently changed to the University of Arkansas at Monticello, and it is operated by the Board of Trustees for the University of Arkansas. See § 6-64-302.

Acts 1971, No. 512, § 7 purported to amend Acts 1947, No. 62, § 1, by deleting all references to “Arkansas Agricultural, Mechanical, and Normal College” or to that institution under the names by which it had previously been designated or operated (Branch Normal College, Agricultural, Mechanical, and Normal School for Negroes, State Agricultural, Mechanical, and Normal College, State A. M. & N. College, and Arkansas A. M. & N. College), and to its board of trustees. Acts 1971, No. 512, § 7, did not, however, set out the amended portion that is required by Arkansas Constitution, Article 5, Section 23. The name of that institution was subsequently changed to the University of Arkansas at Pine Bluff, and it is operated by the Board of Trustees of the University of Arkansas. See § 6-64-303.

Amendments. The 2019 amendment deleted “of the Department of Finance and Administration” following “Building Authority Division” in (b).

CASE NOTES

Medical School Building.

The Board of Trustees of the University of Arkansas had authority to build a medical school building. *Lindsay v. White*, 212 Ark. 541, 206 S.W.2d 762 (1947).

Cited: *Arkansas v. Texas*, 346 U.S. 368, 74 S. Ct. 109, 98 L. Ed. 80 (1953).

6-62-303. Financing authority.

The board is authorized and empowered to enter into the necessary contracts for the borrowing of all or any part of the funds that the board may determine will be required in connection with the financing of the projects.

History. Acts 1947, No. 62, § 1; 1949, No. 320, § 1; 1951, No. 313, § 1; 1969, No. 183, § 1; A.S.A. 1947, § 80-3311.

CASE NOTES

Cited: *Arkansas v. Texas*, 346 U.S. 368, 74 S. Ct. 109, 98 L. Ed. 80 (1953).

6-62-304. Temporary financing authorized.

The board is authorized to utilize any funds available to temporarily finance all or part of the projects and to make reimbursement of the funds from the proceeds of the sale of any notes or bonds issued to permanently finance the projects.

History. Acts 1947, No. 62, § 1; 1951, No. 313, § 1; 1969, No. 183, § 1; A.S.A. 1947, § 80-3311.

CASE NOTES

Cited: *Arkansas v. Texas*, 346 U.S. 368, 74 S. Ct. 109, 98 L. Ed. 80 (1953).

6-62-305. Bonds or notes — Authorization to issue — Pledge of revenues, funds, etc.

(a) In evidence of any loan of funds, the board of trustees is authorized and empowered to issue its negotiable interest-bearing notes or bonds with a specific pledge, for the payment of the principal and interest thereof, and the payment of agents' fees only, all or any part of the following:

(1) The gross tolls, fees, rents, and other charges to be derived as income from the project;

(2) Any surplus not pledged of the gross tolls, fees, rents, and other charges to be derived from other projects financed in whole or in part by bonds or notes issued by the board;

- (3) Tuition and fees collected from its students;
 - (4) The gate receipts of athletic contests participated in by its teams; and
 - (5) Any funds received from the United States, or any department or agency thereof, pursuant to any act of Congress, providing for grants or payments to educational institutions in connection with, or in anywise pertaining to, the financing of the accomplishing of the authorities and powers set forth in § 6-62-302.
- (b) In regard to the funds referred to in subdivision (a)(5) of this section, the board is authorized to take such action, comply with such terms and conditions, and execute such agreements as may be necessary to apply for, receive, pledge, or use such funds for the above specified or any other lawful purpose.
- (c) One (1) series of bonds may be issued for more than one (1) project and the revenues therefrom pledged for the payment of the bonds.

History. Acts 1947, No. 62, § 1; 1949, 183, § 1; A.S.A. 1947, § 80-3311; Acts No. 320, § 1; 1951, No. 313, § 1; 1969, No. 1991, No. 45, § 1.

CASE NOTES

Constitutionality.

Issuance of revenue bonds under this section does not violate Ark. Const. Amend. 20. *Jacobs v. Sharp*, 211 Ark. 865, 202 S.W.2d 964 (1947).

Cited: *Arkansas v. Texas*, 346 U.S. 368, 74 S. Ct. 109, 98 L. Ed. 80 (1953).

6-62-306. Bonds or notes — Issuance on advice of Arkansas Higher Education Coordinating Board.

(a) The boards of trustees of the University of Arkansas, University of Central Arkansas, Henderson State University, Arkansas State University system, Arkansas Tech University, and Southern Arkansas University, hereinafter referred to as the "board of the institution involved", shall not issue any notes or bonds under the provisions of this subchapter for any of the purposes authorized by this subchapter, unless prior to the issuance of such notes or bonds, the board of the institution involved shall have obtained the advice of the Arkansas Higher Education Coordinating Board as to the economic feasibility of the particular project to be financed, in whole or in part, by those notes or bonds.

(b) The board of the institution involved shall submit to the Arkansas Higher Education Coordinating Board information pertaining to the proposed project concerning existing and proposed buildings, improvements, equipment, and facilities of the institution involved; finances, revenues, appropriations, and cash funds of the institution involved; and enrollment, housing, and other information deemed pertinent to and requested by the Arkansas Higher Education Coordinating Board to enable the Arkansas Higher Education Coordinating Board to determine the feasibility of the project.

(c) The Arkansas Higher Education Coordinating Board shall notify the board of the institution involved, within thirty (30) days from the date the information is submitted to the Arkansas Higher Education Coordinating Board, of the Arkansas Higher Education Coordinating Board's advice with respect to the economic feasibility of the particular project.

(d) The advice of the Arkansas Higher Education Coordinating Board under this section shall not be binding on the board of the institution involved.

(e)(1) This section shall not be construed to deprive, transfer, limit, or in any way alter or change any of the powers vested in the board of the institution involved under existing constitutional and statutory provisions.

(2) Furthermore, the authority conferred upon the Arkansas Higher Education Coordinating Board by this section shall not extend to the feasibility of the notes or bonds proposed to be issued by the board of the institution involved or to any of the terms, conditions, and provisions thereof, and this section shall not be construed to impair in any way the validity of any notes or bonds issued by the board of the institutions involved under this subchapter or impair or affect in any way the obligations of the board of the institution involved or the rights of any holder or registered owner of the notes or bonds.

History. Acts 1963, No. 242, §§ 1-4; A.S.A. 1947, §§ 80-3328 — 80-3331; Acts 2021, No. 18, § 1.

Publisher's Notes. Acts 1971, No. 9, § 5 purported to amend Acts 1963, No. 242, § 1 by deleting the reference to "Arkansas Agricultural and Mechanical College" which had been abolished by Acts 1971, No. 9, § 1, but did not set out the amended portion that is required by Ark. Const., Art. 5, § 23. The name of that institution was subsequently changed to the University of Arkansas at Monticello and it is operated by the Board of Trustees for the University of Arkansas. See § 6-64-302.

Acts 1971, No. 512, § 7 purported to amend Acts 1963, No. 242, § 1 by deleting all references to "Arkansas Agricultural, Mechanical, and Normal College" or to

that institution under the names by which it had previously been designated or operated (Branch Normal College, Agricultural, Mechanical, and Normal School for Negroes, State Agricultural, Mechanical, and Normal College, State A. M. & N. College, and Arkansas A. M. & N. College), and to its board of trustees. Acts 1971, No. 512, § 7 did not, however, set out the amended portion that is required by Arkansas Constitution, Article 5, Section 23. The name of that institution was subsequently changed to the University of Arkansas at Pine Bluff and it is operated by the Board of Trustees of the University of Arkansas. See § 6-64-303.

Amendments. The 2021 amendment inserted "System" following "Arkansas State University" in (a).

6-62-307. Bonds or notes — Execution.

(a) The notes or bonds shall be executed by the president or chair and secretary of the board.

(b) The coupon attached to the bonds may be executed by the facsimile signature of the president or chair.

(c) In case any of the officers whose signatures appear on the bonds or coupons shall cease to be officers before delivery, the signatures shall

nevertheless be valid and sufficient for all purposes, the same as if they had remained in office until the delivery.

History. Acts 1947, No. 62, § 2; 1957, No. 30, § 1; 1975, No. 225, § 19; 1981, No. 10, § 1; 1959, No. 242, § 1; 1968 (1st Ex. Sess.), No. 8, § 1; 1970 (1st Ex. Sess.), No. 30, § 1; 1975, No. 225, § 19; 1981, No. 10, § 1; 1959, No. 242, § 1; 1968 (1st Ex. Sess.), No. 8, § 1; 1970 (1st Ex. Sess.), No. 425, § 19; A.S.A. 1947, § 80-3312.

6-62-308. Bonds or notes — Terms and conditions.

(a) The notes or bonds shall be payable at such time or times and at such place or places, shall be in such form and denominations, may be subject to such terms of redemption, with or without a premium, shall bear such rate or rates of interest, shall be payable annually or semiannually, and shall be sold for such price and in such manner, as the board of trustees by resolution shall determine.

(b) In the resolution, the board may provide for the initial issuance of one (1) or more bonds aggregating the principal amount of the entire issue and may, in the resolution, make such provisions for installment payments of the principal amount of the bonds as it may consider desirable and may provide for the making of the bonds payable to bearer or otherwise, registrable as to principal or as to both principal and interest and where interest accruing thereon is not represented by interest coupons for the endorsement of payment of interest on the bonds.

(c) The board may make provision in the resolution for the manner and circumstances in which and under which the bonds may, in the future at the request of the holders thereof, be converted into bonds of smaller denomination, which bonds of smaller denomination may in turn be either coupon bonds or bonds registrable as to principal or registrable as to principal and interest.

History. Acts 1947, No. 62, § 2; 1957, No. 30, § 1; 1975, No. 225, § 19; 1981, No. 10, § 1; 1959, No. 242, § 1; 1968 (1st Ex. Sess.), No. 8, § 1; 1970 (1st Ex. Sess.), No. 30, § 1; 1975, No. 225, § 19; 1981, No. 10, § 1; 1959, No. 242, § 1; 1968 (1st Ex. Sess.), No. 8, § 1; 1970 (1st Ex. Sess.), No. 425, § 19; A.S.A. 1947, § 80-3312.

6-62-309. Bonds or notes — Liability.

(a) The bonds or notes shall be general obligations only of the board of trustees, and in no event shall they be considered a debt for which the faith and credit of the State of Arkansas or any of its revenues are pledged.

(b) No member of any board shall be personally liable for the notes or bonds, or for any damages sustained by anyone in connection with contracts for loans or the construction of the buildings, unless it shall be made to appear that he or she has acted with a corrupt intent.

(c) Upon a determination of the board that a reallocation of resources is necessary for the purposes of preventing a default on its indebtedness, the board has specific authority to transfer funds between and among campuses, divisions, and other budgetary units of its institution of higher education. Upon exercising the authority to reallocate re-

sources as provided by this section, the board of trustees shall report the reasons for and the details of such reallocations to the Legislative Council or Joint Budget Committee immediately thereafter.

History. Acts 1947, No. 62, § 1; 1949, No. 320, § 1; 1951, No. 313, § 1; 1969, No. 183, § 1; A.S.A. 1947, § 80-3311; Acts 2007, No. 1229, § 17.

Publisher's Notes. Acts 1949, No. 320, § 2 validated former obligations, but provided that the obligations would not be considered a debt of the state.

CASE NOTES

Cited: *Arkansas v. Texas*, 346 U.S. 368, 74 S. Ct. 109, 98 L. Ed. 80 (1953).

6-62-310. Bonds or notes — Related agreements authorized.

(a) For the purpose of obtaining any loan or carrying out any condition imposed by the original purchaser of the notes or bonds in connection with any loan, the board of trustees may execute such documents and enter into such agreements as it may deem necessary or proper in connection therewith, including, but without limiting the generality of the foregoing, any agreement relating to:

(1) The maintenance of a maximum percentage of occupancy of buildings;

(2) The imposition of minimum rates for occupancy or use adequate to provide for the payment of the principal of and interest on any notes or bonds;

(3)(A) The priority of the lien of notes or bonds on the gross tolls, fees, rents, other charges, surplus not pledged of gross tolls, fees, rents, and other charges, activity fees and gate receipts of athletic contests, and other revenues of whatever nature authorized to be pledged to the payment of the principal of and interest on the notes or bonds.

(B) It is the intention of this subdivision that the board, in any resolution authorizing the issuance of a particular series of notes or bonds, may provide that subsequent series of notes or bonds payable from the tolls, fees, rents, activity fees, and gate receipts pledged to the particular issue authorized by the resolution may not be issued, that subsequent series of notes or bonds shall be subordinate as to lien, or that subsequent series of notes or bonds shall enjoy parity of lien upon such conditions and restrictions as may be inserted by the board in the authorizing resolution; and

(4) The deposits into banks and the manner of withdrawal of revenues for payment of the principal of and interest on the notes or bonds and the deposits into banks and the manner of withdrawal of the proceeds of the sale of notes or bonds.

(b)(1) Any agreement entered into by the board shall be binding in all respects upon the board and their successors from time to time in accordance with the terms and all of the provisions of the agreement.

(2) The terms and provisions shall be enforceable by appropriate proceedings at law or in equity, or otherwise, provided no mortgage or

other lien shall be executed on any of the lands or buildings belonging to the State of Arkansas.

History. Acts 1947, No. 62, § 2; 1957, No. 30, § 1; 1975, No. 225, § 19; 1981, No. 10, § 1; 1959, No. 242, § 1; 1968 (1st Ex. Sess.), No. 8, § 1; 1970 (1st Ex. Sess.), 425, § 19; A.S.A. 1947, § 80-3312.

6-62-311. Rents, tolls, fees, etc. — Rules authorized.

A board of trustees is further authorized and empowered to fix the rents, tolls, fees, other charges, activity fees, and gate receipts of athletic contests and to make and to enforce the rules with reference to or in connection with any building or structure authorized to be constructed, reconstructed, enlarged, repaired, or equipped and with reference to the use thereof as the board may deem desirable for the welfare of the institution or its student body.

History. Acts 1947, No. 62, § 2; 1957, No. 10, § 1; 1959, No. 242, § 1; 1968 (1st Ex. Sess.), No. 8, § 1; 1970 (1st Ex. Sess.), No. 30, § 1; 1975, No. 225, § 19; 1981, No. 425, § 19; A.S.A. 1947, § 80-3312; Acts 2019, No. 315, § 374.

Amendments. The 2019 amendment deleted “and regulations” following “rules” in the section heading and in the section.

6-62-312. Valid outstanding obligations — Refinancing or re-funding — Cancellation.

(a) A board of trustees of a state-supported institution of higher education may refinance, in whole or in part, from time to time, its valid outstanding obligations issued under Acts 1933, No. 47 [repealed], or Acts 1939, No. 14 [repealed], or issued under this subchapter or any other law for the purpose of financing and refinancing improvements for a state-supported institution of higher education.

(b)(1) To that end, the board may issue negotiable refunding notes or refunding bonds.

(2) This power may be exercised successively, and any obligations which have once been refunded may thereafter from time to time be refunded.

(3) They shall be issued upon the same terms and conditions as provided in this subchapter for original obligations.

(4) They shall be secured in the same manner and to the same extent as provided in this subchapter for original obligations.

(5) They shall be obligations only of that board, and in no event shall they be considered a debt for which the faith and credit of the State of Arkansas or any of its revenues are pledged.

(6) They may be exchanged for the outstanding obligations to be refunded, or they may be sold for cash and the proceeds used to pay them, or part may be exchanged and part may be sold.

(c) The outstanding obligations refunded shall be cancelled and destroyed contemporaneously with the delivery of the refunding obligations, except as follows:

(1) If required by any agreement with the parties to whom the refunding obligations are to be delivered, the obligations refunded may be kept intact uncanceled until the refunding obligations and interest have been paid in full, whereupon they shall forthwith be cancelled and destroyed; each obligation so kept intact is to be stamped with a legend to the effect that the obligation has been refunded pursuant to this subchapter; or

(2) If the obligations to be refunded are redeemable before maturity and have been duly called for payment in accordance with their terms, the refunding obligations may be executed and deposited with an escrow agent designated by the board, which escrow agent shall be a bank or trust company whose trust funds are secured in the manner provided by the federal laws or regulations, or state banking laws and rules thereunder, under an agreement with the escrow agent to deliver them to the purchaser on payment of the purchase price in full and in cash at least five (5) days before the redemption date of the obligations called and to remit promptly the proceeds to the paying agent of the outstanding obligations for payment thereof, provided that the board shall deposit with the escrow agent for delivery also to the paying agent any additional funds required to make payment in full of the principal of and interest on and paying agent's fees of the bonds so called for redemption. When the outstanding bonds have been paid, they shall be cancelled and destroyed.

History. Acts 1947, No. 62, §§ 3, 4; 1951, No. 313, § 2; 1957, No. 10, § 2; 1968 (1st Ex. Sess.), No. 8, § 2; 1970 (1st Ex. Sess.), No. 30, § 2; 1975, No. 225, § 19; 1981, No. 425, § 19; A.S.A. 1947, §§ 80-3313, 80-3314; Acts 2015, No. 566, § 1; 2019, No. 315, § 375.

previously issued obligations, see Acts 1947, No. 62, § 5; Acts 1949, No. 320, § 2; Acts 1951, No. 313, § 3.

Amendments. The 2019 amendment substituted "federal laws or regulations, or state banking laws and rules" for "national or state banking laws and regulations" in (c)(2).

Publisher's Notes. For acts validating

6-62-313. State agency for participation in federal grant programs.

(a) The Arkansas Higher Education Coordinating Board is designated as the state agency of the State of Arkansas for the purpose of participating in the grant program under 20 U.S.C. § 1132a et seq., as enacted and now existing or as subsequently amended, supplemented, or implemented, which is herein referred to as the "federal act".

(b) In addition to its presently existing authority, powers, and duties, the board is authorized, empowered, and directed to prepare and submit to the commissioner, who is referred to and identified in the federal act, a state plan for participation in the grant program under 20 U.S.C. § 1132a et seq. and, upon the approval of the state plan by the commissioner, to administer the plan and otherwise to do, or cause to be done, all things and acts of every nature whatever necessary or desirable:

(1) In meeting and complying with all requirements of the federal act, regulations under and pursuant to the federal act, and of the departments and agencies of the United States administering the federal act;

(2) In administering the state plan; and

(3) In obtaining and utilizing, or causing to be utilized, all grants, funds, and benefits to which the State of Arkansas is entitled under the federal act.

(c)(1) This section shall be liberally construed so that all institutions of higher education, as referred to and defined in the federal act, receive fully and promptly all benefits conferred and intended by the federal act and this section and that the intended public benefits and purposes be achieved and accomplished. To this end, the enumeration of any object, purpose, power, manner, method, and thing shall not be deemed to exclude like or similar objects, purposes, powers, manners, methods, or things.

(2) This section shall be liberally construed as being supplemental to any existing purposes and powers of the board so as to accomplish in the most expeditious and efficient manner the purposes and intent of the federal act in this state.

History. Acts 1964 (1st Ex. Sess.), No. 16, §§ 1-3; A.S.A. 1947, §§ 80-3332 — 80-3334. referred to in subsections (a) and (b) of this section, have been omitted from the U.S. Code.

U.S. Code. 20 U.S.C. § 1132a et seq.,

6-62-314. Construction project exemption.

The following state-supported institutions of higher education shall be exempt as allowed by § 19-4-1415(b)(5) for construction projects exceeding five million dollars (\$5,000,000) if they have adopted policies and procedures in compliance with state law involving the awarding and oversight of the contracts for design and construction services:

- (1) Henderson State University;
- (2) Southern Arkansas University;
- (3) University of Central Arkansas;
- (4) National Park College;
- (5) Northwest Arkansas Community College; and
- (6) Arkansas Tech University.

History. Acts 2011, No. 1065, § 37; 2013, No. 1397, § 43; 2016, No. 140, § 8; 2016, No. 141, § 8; 2017, No. 179, § 6; 2021, No. 95, § 1. The 2021 amendment redesignated former (5) and (6) as (4) and (5); and added (6).

Amendments. The 2017 amendment deleted (7) and made stylistic changes.

SUBCHAPTER 4 — FACILITIES — USE

SECTION.

6-62-401. Use by employees to conduct work for private compensation.

6-62-401. Use by employees to conduct work for private compensation.

(a) The boards of trustees of the state institutions of higher education are authorized to grant permission to employees of those institutions to conduct, on and in campus facilities, certain outside work for private compensation as described below which are to be engaged in only after they have discharged fully their employment responsibilities to those institutions.

(b) However, in each instance where permission is granted, the governing board shall have the nondelegable duty to make express findings of fact that:

(1) The activity in question involves no conflict of interest with the mission and purpose of the institution itself;

(2) The activity proposed would bring to the campus a significant number of persons who are potentially future students who might tend to enroll on that campus as a result of their exposure to its facilities and its personnel while engaged in this activity; and

(3) The contemplated activity will, as a part thereof, generate funds to be paid to the state institution for housing, meals, and for the use of other institutional resources which will produce significant revenues in support of the auxiliary functions of the particular campus serving its enrolled students.

(c)(1) Each permission granted by a board of trustees pursuant to the findings of fact stated in subsection (b) of this section shall, with those findings of fact, be reduced to writing by the board and shall include a statement of charges to be paid to the state institution by the employee as the direct and indirect costs associated with operating and maintaining the facilities which will be temporarily devoted to the particular activity conducted by that employee.

(2) The charges shall be paid promptly, by the employee or by the participants at the direction of the employee, to the state institution.

(d) In conducting an activity permitted under this section, the employee shall make known in all advertising and other publicity involving the activity that participants are contracting with that employee and not with the institution and that the institution and the State of Arkansas do not assume any contractual obligations for the conduct of the employee's activity.

(e)(1) Each employee who is authorized under the provisions of this section to engage in outside work for private compensation on or in campus facilities shall, within a reasonable period of time after completion of the employment, submit a complete financial report relating to the employment to the chief financial officer of the institution.

(2) On an annual basis, the chief financial officer of the institution shall submit to the governing board a summary of all such financial reports received by him or her.

History. Acts 1981, No. 707, §§ 1-4;
A.S.A. 1947, §§ 80-3390 — 80-3390.3.

SUBCHAPTER 5 — TRUST CONVEYANCES

SECTION.

- 6-62-501. Definitions.
6-62-502. Trust conveyances authorized.
6-62-503. Acceptance of conveyance —
Administration.
6-62-504. Title — Encumbrances.

SECTION.

- 6-62-505. Status of property as that of
private person.
6-62-506. Tax exemption.
6-62-507. Income from property.

Cross References. Validity as to creditors of gratuitous conveyances to educational institutions, § 4-59-206.

Effective Dates. Acts 1965, No. 565, § 9: Mar. 24, 1965. Emergency clause provided: "Whereas, many individuals have expressed a desire to convey properties for the use and benefit of the several tax supported institutions of higher learning in the State but have been uncertain as to the administration of such properties, the authority of the individual institution to own such property, and the proper method of conveying properties for the said purposes; and whereas, the said individuals desire to make such conveyances for the maximum benefit to the respective institutions without the burden of taxation on

the properties; and whereas, on account of such uncertainties the respective institutions are delayed in obtaining said properties and may lose much property altogether; and whereas, such delay in receiving and such loss of properties add to the expense of public education in the State of Arkansas and thereby make college education impossible for many students; and whereas, only by the passage of this Act and giving it immediate effect can such uncertainties and difficulties be removed; now therefore an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health, and safety, shall take effect and be in full force from and after its passage and approval."

6-62-501. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Any tax-supported institution of higher education" includes the University of Arkansas, University of Central Arkansas, Henderson State University at Arkadelphia, Arkansas Tech University, Arkansas State University at Jonesboro, and Southern Arkansas University at Magnolia, together with their respective branches and departments wherever located in the State of Arkansas, and any other institution offering courses in education beyond the twelfth grade of the public school system and supported primarily by appropriations from state funds;

(2) "Institution" refers to each of the tax-supported institutions of higher education; and

(3) "Property" includes lands, buildings, and other property, real or personal, tangible or intangible.

History. Acts 1965, No. 565, § 1; A.S.A. 1947, § 80-3337.

Publisher's Notes. Acts 1971, No. 9, § 5, purported to amend Acts 1965, No. 565, § 1 by deleting the reference to "Arkansas Agricultural and Mechanical College" which had been abolished by Acts 1971, No. 9, § 1, but did not set out the amended portion that is required by Arkansas Constitution, Article 5, Section 23. The name of that institution was subsequently changed to the University of Arkansas at Monticello and it is operated by the Board of Trustees for the University of Arkansas. See § 6-64-302.

Acts 1971, No. 512, § 7, purported to amend Acts 1965, No. 565, § 1, by deleting all references to "Arkansas Agricul-

tural, Mechanical, and Normal College" or to that institution under the names by which it had previously been designated or operated (Branch Normal College, Agricultural, Mechanical, and Normal School for Negroes, State Agricultural, Mechanical, and Normal College, State A. M. & N. College, and Arkansas A. M. & N. College), and to its board of trustees. Acts 1971, No. 512, § 7 did not, however, set out the amended portion that is required by Arkansas Constitution, Article 5, Section 23. The name of that institution was subsequently changed to the University of Arkansas at Pine Bluff and it is operated by the Board of Trustees of the University of Arkansas. See § 6-64-303.

6-62-502. Trust conveyances authorized.

Property may be conveyed to the State of Arkansas in trust for any tax-supported institution of higher education within the state, which property shall be held by the state, subject to the terms of the conveyance, for and on behalf of the institution for whose benefit the conveyance shall have been made.

History. Acts 1965, No. 565, § 2; A.S.A. 1947, § 80-3338.

6-62-503. Acceptance of conveyance — Administration.

(a) Acceptance of the conveyance by the State of Arkansas shall be evidenced by proclamation of the Governor.

(b) A copy of the proclamation certified by the Secretary of State shall be filed for record in the county or counties in which the real property is located.

(c) Upon acceptance of the conveyance, administration of the property shall be through the governing board of the particular institution for whose benefit the conveyance shall have been made.

History. Acts 1965, No. 565, § 3; A.S.A. 1947, § 80-3339.

6-62-504. Title — Encumbrances.

(a) The State of Arkansas shall take and hold title to any such lands, buildings, and other real property in fee simple or subject to existing encumbrances.

(b) However, the state shall not be required to discharge any encumbrance from funds other than those received from the administration of the property.

History. Acts 1965, No. 565, § 4; A.S.A. 1947, § 80-3340.

6-62-505. Status of property as that of private person.

Subject to any restrictions which may be provided in the instrument of conveyance, property so conveyed to the State of Arkansas in trust for any tax-supported institution of higher education within the state may be sold, leased, rented, subjected to mortgage indebtedness, and dealt with generally by the appropriate governing board in the same manner as the property of any private person.

History. Acts 1965, No. 565, § 5; A.S.A. 1947, § 80-3341.

6-62-506. Tax exemption.

All property so conveyed to the State of Arkansas shall be deemed property owned by the state exclusively for a public purpose and shall be exempt from taxation.

History. Acts 1965, No. 565, § 7; A.S.A. 1947, § 80-3343.

6-62-507. Income from property.

(a) All income derived from the administration of any such property shall be deposited into a separate account appropriately designated and shall inure to the benefit of and be used solely for the institution for whose benefit the conveyance shall have been made.

(b) Income derived from any such property shall not be charged against any appropriation which, except for a conveyance to the State of Arkansas, would otherwise have been made for the institution for whose benefit the conveyance shall have been made.

History. Acts 1965, No. 565, §§ 6, 8; A.S.A. 1947, §§ 80-3342, 80-3344.

SUBCHAPTER 6 — TRANSFER OR LEASE OF PROPERTY

SECTION.

- 6-62-601. Definitions.
- 6-62-602. Transfer and lease authorized.
- 6-62-603, 6-62-604. [Repealed.]
- 6-62-605. Execution of contracts.
- 6-62-606. Exemption from compliance with certain state and local laws — Review by Building Authority Division.
- 6-62-607. Right to mortgage or encumber property — Right to cure default.

SECTION.

- 6-62-608. Resolution authorizing transfer and lease.
- 6-62-609. Negotiations — Terms of transfer.
- 6-62-610. Boards of appraisers — Determination of fair market value and fair market rental.
- 6-62-611. Agreement for transfer and lease of property — Instruments of conveyance — Title insurance.

SECTION.

6-62-612. Lease agreement — Repurchase of property.

SECTION.

6-62-613. Bank funds.

Effective Dates. Acts 1983 (1st Ex. Sess.), No. 11, § 14 and Acts 1983 (1st Ex. Sess.), No. 12, § 14: Oct. 31, 1983. Emergency clauses provided: “It has been found and it is hereby determined by the General Assembly that there is an acute shortage of funds available for the support of higher education in this State; that the Boards of Trustees of the Universities in the State own substantial property; and that the sale or leasing of such property would provide substantial additional moneys for use by such Boards in the operation of the respective Universities. Therefore, an emergency is declared to exist and this Act, being necessary for the preservation of the public peace, health and safety, shall take effect and be in force from and after its passage and approval.”

Acts 2015 (1st Ex. Sess.), Nos. 7 and 8, § 153: July 1, 2015. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Building Authority, the Arkansas Science and Technology Authority, the Department of Rural Services, and the Division of Land Surveys of the Arkansas Agriculture Department are inefficiently structured; that this inefficient structuring causes an excessive and unnecessary cost to the taxpayers of

the this state; and that this act is essential to alleviating that financial burden. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2015.”

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded sections of this act preceding the emergency clause titled ‘Funding and classification of cabinet-level department secretaries’ and ‘Transformation and Efficiencies Act transition team’ should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

6-62-601. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) “Bank funds” means any funds of a board that are neither appropriated from the State Treasury nor required to be deposited into the State Treasury;

(2) “Board” means the board of trustees of either the University of Arkansas, Arkansas State University system, the University of Central Arkansas, Henderson State University, Arkansas Tech University, or Southern Arkansas University;

(3) “Lease agreement” means an agreement between an owner and a board pursuant to which the owner leases or subleases, or agrees to lease or sublease, property to the board;

(4)(A) “Owner” means a person or group of persons to whom a board makes a transfer of property in accordance with the provisions of this subchapter.

(B) No member of the board shall have any interest, direct or indirect, in the owner;

(5) "Person" means a natural person, a firm, a general partnership, a limited partnership, an association, a corporation, or a public body;

(6) "Property" means any buildings or structures, utilities, on-site and off-site improvements, and other appurtenances and improvements, including the land upon which the building or structure is located, and undivided interests in any such property; and

(7) "Transfer" means to sell or to lease, as lessor or lessee.

History. Acts 1983 (1st Ex. Sess.), No. 11, § 1; 1983 (1st Ex. Sess.), No. 12, § 1; A.S.A. 1947, § 80-3391; Acts 1999, No. 823, § 1.

6-62-602. Transfer and lease authorized.

Subject to and in accordance with the provisions of this subchapter and in addition to any other statutory or inherent authority of a board, any board is authorized to transfer and simultaneously enter into a lease agreement concerning any property.

History. Acts 1983 (1st Ex. Sess.), No. 11, § 2; 1983 (1st Ex. Sess.), No. 12, § 2; A.S.A. 1947, § 80-3391.1; Acts 1999, No. 823, § 2.

6-62-603, 6-62-604. [Repealed.]

Publisher's Notes. Former §§ 6-62-603 and 6-62-604, concerning the subchapter as exclusive authority for transfers and the time limitation on initiation of transfers, were repealed by Acts 1999, No. 823, § 3. The sections were derived from the following sources:

6-62-603. Acts 1983 (1st Ex. Sess.), No. 11, § 12; 1983 (1st Ex. Sess.), No. 12, § 12; A.S.A. 1947, § 80-3391.11.

6-62-604. Acts 1983 (1st Ex. Sess.), No. 11, § 3; 1983 (1st Ex. Sess.), No. 12, § 3; A.S.A. 1947, § 80-3391.2.

6-62-605. Execution of contracts.

Boards are authorized to execute all contracts and legal instruments necessary and convenient to effectuate the transfers and the transactions herein authorized.

History. Acts 1983 (1st Ex. Sess.), No. 11, § 9; 1983 (1st Ex. Sess.), No. 12, § 9; A.S.A. 1947, § 80-3391.8.

6-62-606. Exemption from compliance with certain state and local laws — Review by Building Authority Division.

(a) A board and an owner proceeding under this subchapter shall be exempt from compliance with all municipal and county land use restrictions, including without limitation zoning laws and requirements for obtaining building permits.

(b) In proceeding under this subchapter, it shall not be necessary for the board to comply with any other laws relating to the procurement,

disposal, or leasing of property, including without limitation laws concerning the appointment of appraisers in connection therewith, laws restricting the obligation of funds for construction, and laws dealing with the improvement of historic structures, except that the transfer and the lease agreement shall be subject to the review and approval of the Building Authority Division.

History. Acts 1983 (1st Ex. Sess.), No. 11, §§ 10, 12; 1983 (1st Ex. Sess.), No. 12, §§ 10, 12; A.S.A. 1947, §§ 80-3391.9, 80-3391.11; Acts 2015 (1st Ex. Sess.), No. 7, § 4; 2015 (1st Ex. Sess.), No. 8, § 4; 2019, No. 910, § 6056.

A.C.R.C. Notes. Acts 2015 (1st Ex. Sess.), Nos. 7 and 8, § 1, provided: "Transfer of the Arkansas Building Authority to the Department of Finance and Administration."

"(a)(1) The Arkansas Building Authority is transferred to the Department of Finance and Administration by a type 2 transfer under § 25-2-105.

"(2) For the purposes of this act, the Department of Finance and Administration shall be considered a principal department established by Acts 1971, No. 38.

"(b) All authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, and other funds, including the functions of budgeting or purchasing, are

transferred to the Department of Finance and Administration, except as specified by this act.

"(c) All powers, duties, and functions, including rulemaking, regulation, and licensing, promulgation of rules, rates, regulations, and standards, and the rendering of findings, orders, and adjudications are transferred to the Director of the Department of Finance and Administration.

"(d) The members of the Arkansas Building Authority Council, and their successors, shall continue to be selected in the manner and serve for the terms provided by the statutes applicable to the council except as specified in this act.

"(e) The Arkansas Code Revision Commission shall make appropriate name changes in the Arkansas Code to implement this act."

Amendments. The 2019 amendment deleted "of the Department of Finance and Administration" following "Building Authority Division" in (b).

6-62-607. Right to mortgage or encumber property — Right to cure default.

(a) The transfer of any property shall authorize the owner to mortgage or otherwise encumber the property.

(b) However, the board shall retain the right to cure any default of the owner that could result in loss of possession by the owner, including a default in the payment of property taxes owed by such owner.

History. Acts 1983 (1st Ex. Sess.), No. 11, § 11; 1983 (1st Ex. Sess.), No. 12, § 11; A.S.A. 1947, § 80-3391.10.

6-62-608. Resolution authorizing transfer and lease.

(a) Before proceeding with any transfer, the board shall first determine, by resolution adopted at a legal meeting of the board:

(1) That the property proposed for transfer continues to be needed in the operation of the university; and

(2) That it is in the best interest of the university to transfer the property and use it as lessee under a lease agreement as provided in this subchapter.

(b) The resolution shall designate one (1) or more persons to act on behalf of the board to negotiate with potential owners concerning the terms of the transfer and lease agreement for the property described in the resolution.

History. Acts 1983 (1st Ex. Sess.), No. 11, § 3; 1983 (1st Ex. Sess.), No. 12, § 3; A.S.A. 1947, § 80-3391.2.

6-62-609. Negotiations — Terms of transfer.

(a) Subject to any requirements or limitations specified in the resolution, the persons so designated by the board shall proceed to negotiate with one (1) or more potential owners the transfer and lease agreement concerning the property described in the resolution.

(b) The transfer may be either for cash or on credit upon such terms and conditions and with such security as shall be approved by the board.

(c) The transfer price shall be an amount equal to not less than the fair market value of the property, determined as provided in § 6-62-610.

(d) The rent to be paid by the board under the lease agreement shall be not more than the fair market rental of the property, determined as provided in § 6-62-610.

(e) All terms of the transfer and lease agreement shall be subject to the approval of the board.

History. Acts 1983 (1st Ex. Sess.), No. 11, § 4; 1983 (1st Ex. Sess.), No. 12, § 4; A.S.A. 1947, § 80-3391.3.

6-62-610. Boards of appraisers — Determination of fair market value and fair market rental.

(a) The fair market value and fair market rental of the property shall be determined by a board of qualified professional appraisers, consisting of one (1) appraiser appointed by the board, one (1) appraiser appointed by the owner, and one (1) appraiser appointed by the Governor.

(b) In determining fair market rental, the board of appraisers shall give consideration to any improvements or additions to the property which the owner is obligated to make.

(c)(1) If any two (2) of the appraisers agree on the fair market value or the fair market rental, this appraisal shall be taken as conclusive.

(2) If two (2) of the appraisers are unable to agree on either the fair market value or the fair market rental, the fair market value or fair market rental shall be determined by adding the fair market value or

the fair market rental as determined by each of the three (3) appraisers and dividing the total by three (3).

(d) Each member of the board of appraisers shall, before entering upon his or her duties, make and subscribe, in duplicate, an affidavit that he or she is not in any manner interested either directly or indirectly in either the transfer of or lease agreement concerning said property and that he or she will well and truly, according to the best of his or her ability, appraise the fair market value or the fair market rental of the property in accordance with the provisions of his or her appointment.

(e) Copies of each instrument appointing an appraiser, copies of each affidavit of an appraiser, and copies of each appraisal made shall be filed with the board and with the owner.

(f) Each appraiser shall be entitled to reasonable compensation for his or her services and to reimbursement of his or her reasonable and necessary expenses incurred in connection with his or her services.

(g)(1) The board shall have the responsibility of paying the appraiser appointed by it.

(2) The owner shall have the responsibility of paying the appraiser appointed by it.

(3) The charges of the appraiser appointed by the Governor shall be shared equally by the board and the owner.

History. Acts 1983 (1st Ex. Sess.), No. 11, § 5; 1983 (1st Ex. Sess.), No. 12, § 5; A.S.A. 1947, § 80-3391.4.

6-62-611. Agreement for transfer and lease of property — Instruments of conveyance — Title insurance.

(a)(1) Upon completion of the determination of the fair market value and the fair market rental of the property, the board may enter into an agreement with the owner for the transfer of, which may be by lease from the board, as lessor, to the owner, as lessee, and lease agreement concerning the property.

(2) The agreement may provide that the owner will make improvements or additions to the property subject to the inspection and approval of all improvements and additions to the property by the Building Authority Division.

(b) Thereafter, as part of a simultaneous transaction, the board shall cause to be delivered to the owner appropriate instruments of conveyance to transfer the property to the owner, and the owner and the board shall enter into a lease agreement concerning the property.

(c) The instruments of conveyance shall contain such warranties and covenants of title as the parties shall have agreed to, and the board may furnish the owner title insurance or a commitment for title insurance.

History. Acts 1983 (1st Ex. Sess.), No. 11, § 6; 1983 (1st Ex. Sess.), No. 12, § 6; A.S.A. 1947, § 80-3391.5; Acts 2015 (1st Ex. Sess.), No. 7, § 5; 2015 (1st Ex. Sess.), No. 8, § 5; 2019, No. 910, § 6057.
A.C.R.C. Notes. Acts 2015 (1st Ex.

Sess.), Nos. 7 and 8, § 1, provided: "Transfer of the Arkansas Building Authority to the Department of Finance and Administration.

"(a)(1) The Arkansas Building Authority is transferred to the Department of Finance and Administration by a type 2 transfer under § 25-2-105.

"(2) For the purposes of this act, the Department of Finance and Administration shall be considered a principal department established by Acts 1971, No. 38.

"(b) All authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, and other funds, including the functions of budgeting or purchasing, are transferred to the Department of Finance and Administration, except as specified by this act.

"(c) All powers, duties, and functions, including rulemaking, regulation, and licensing, promulgation of rules, rates, regulations, and standards, and the rendering of findings, orders, and adjudications are transferred to the Director of the Department of Finance and Administration.

"(d) The members of the Arkansas Building Authority Council, and their successors, shall continue to be selected in the manner and serve for the terms provided by the statutes applicable to the council except as specified in this act.

"(e) The Arkansas Code Revision Commission shall make appropriate name changes in the Arkansas Code to implement this act."

Amendments. The 2019 amendment deleted "of the Department of Finance and Administration" following "Building Authority Division" in (a)(2).

6-62-612. Lease agreement — Repurchase of property.

(a) Except as otherwise provided in this subchapter, the lease agreement may be for such term and may contain such covenants and provisions to which the parties agree.

(b)(1) The board's obligations under the lease agreement and under any other contract entered into pursuant to this subchapter shall be obligations only of the board, and in no event shall they constitute obligations for which the faith and credit of the State of Arkansas or any of its revenues are pledged.

(2) No member of the board shall be personally liable to perform any obligations under the lease agreement or under any other contract entered into pursuant to this subchapter or for any damages sustained by any person in connection with the lease agreement, any other contract entered into, or any actions taken pursuant to this subchapter unless he or she shall have acted with a corrupt intent.

(c) The lease agreement or any other contract entered into pursuant to this subchapter may provide that the obligations of the board are limited obligations payable solely from bank funds, or it may provide that the board's obligations are general obligations payable from any funds, including appropriated funds, available to the board.

(d) The lease agreement shall not pledge to the payment of rent any funds appropriated or to be appropriated from the State Treasury.

(e) To the extent that the obligations of the board are general obligations, the lease agreement or any other contract shall expressly provide that these obligations are subject to appropriations and that these obligations either terminate, or are subject to termination at the option of the board, not later than the end of each biennial period of the state.

(f)(1) The lease agreement may give the board an option, a right of first refusal, to repurchase the property covered by the lease agreement, or a portion thereof, for a purchase price equal to not less than its fair market value at the time the option is exercised, determined as provided in § 6-62-610, and upon such other terms and conditions as provided therein.

(2) If the lease agreement provides for a purchase option, the board is authorized, upon determination of the repurchase price, to repurchase the property or to contract for the repurchase of the property.

History. Acts 1983 (1st Ex. Sess.), No. 11, § 7; 1983 (1st Ex. Sess.), No. 12, § 7; A.S.A. 1947, § 80-3391.6.

6-62-613. Bank funds.

(a) All moneys received by a board as consideration for the transfer of property, whether in the form of payment of the principal of or interest on the purchase price for property sold, rent for property leased or in any other form, and all investment earnings thereon, are specifically declared to be bank funds.

(b) Such moneys shall not be deposited into the State Treasury but shall be deposited into accounts of the board in one (1) or more banks selected by the board.

(c)(1) Such moneys may be used for any lawful purpose specified by the board without the necessity of legislative authorization or voucher examination and approval under § 19-4-801 et seq.

(2) However, no part of the moneys shall ever be used to pay current operating expenses of the university other than in connection with the property for which such moneys were received.

(d) The board may invest and reinvest all or part of such moneys. Such investments and expenditures shall be subject to audit as provided by law.

History. Acts 1983 (1st Ex. Sess.), No. 11, § 8; 1983 (1st Ex. Sess.), No. 12, § 8; A.S.A. 1947, § 80-3391.7.

SUBCHAPTER 7 — ARKANSAS COLLEGE SAVINGS BOND ACT

SECTION.
6-62-701. Title.
6-62-702. Legislative findings and declaration of public necessity.
6-62-703. Definitions.
6-62-704. Construction.
6-62-705. Power and duties of Arkansas Development Finance Authority and Arkansas Higher Education Coordinating Board.

SECTION.
6-62-706. Financial resources or financial aid or assistance.
6-62-707. Bonds — Authorization — Amount outstanding.
6-62-708. Bonds — Principal amount.
6-62-709. Bonds — Issuance — Duties of Arkansas Higher Education Coordinating Board and Arkansas Development Finance Authority.

SECTION.

- 6-62-710. Bonds — Financial incentives.
- 6-62-711. Bonds — Purposes.
- 6-62-712. Bonds — Terms and conditions generally.
- 6-62-713. Bonds — Terms and conditions — Series bonds.
- 6-62-714. Bonds — Resolution or trust indenture — Selection of projects.
- 6-62-715. Refunding bonds.
- 6-62-716. Bonds — Execution.
- 6-62-717. Bonds — Sale — Employment of administrative agents, fiscal agents, and legal counsel.
- 6-62-718. Bonds — General obligations — Pledge of revenues.

SECTION.

- 6-62-719. Bonds — Payment — Bond fund — Debt Service Reserve Fund.
- 6-62-720. Bond — Tax exemption — Legal investments.
- 6-62-721. Bonds — Rights and liabilities — Enforcement.
- 6-62-722. Bonds — Rights and liabilities — Commencement.
- 6-62-723. Bonds — Deposit of proceeds.
- 6-62-724. Bonds — Investment and disbursement of funds.
- 6-62-725. Judicial review — Priority.
- 6-62-726. Rules.
- 6-62-727. [Repealed.]

Publisher's Notes. Acts 1991, No. 102, § 3[8], provided: "It is the intent of the Arkansas General Assembly that participation in the purchasing of the bonds issued under Act 683 of 1989 by many Arkansas investors should be maximized. To this end, the Arkansas Development Finance Authority is urged to issue the bonds in small denominations so that they can be purchased by individual Arkansas citizens for college-bound students."

Effective Dates. Acts 1989, No. 683, § 29: Emergency failed to pass. Emergency clause provided: "It has been found and it is hereby declared by the General Assembly that there is an immediate need for the development of the State's higher education resources and to further assist the higher education goals and aspirations of its inhabitants, and other essential purposes. For these reasons, it is declared necessary for the preservation of the public peace, health, and safety that this act become effective without delay. It is therefore, declared that an emergency exists, and this Act shall take effect from the date of its passage and approval."

Acts 1991, No. 102, § 12: Feb. 12, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly, that the people of this state approved the issuance of general obligation bonds for the improvement of higher education institutions on this state; that in approving these bonds certain statements were made by various public officials concerning the use of the

proceeds of the bonds issue and the costs associated with said issue; and that clarification of this act is required immediately before the bonds are made available to the public. Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval."

Acts 1995, No. 1167, § 11: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

Acts 1997, No. 342, § 51: Mar. 5, 1997. Emergency clause provided: "It is hereby found and determined by the Eighty-First General Assembly, that the Constitution of the State of Arkansas prohibits the

appropriation of funds for more than a two (2) year period; that previous General Assemblies have provided appropriations for the projects provided or enumerated in this act; that certain appropriations will expire before the adjournment of the General Assembly; and that if such appropriations expire, the projects and programs authorized herein will cease thereby depriving the citizens of the State of the benefits to be derived from such projects. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval.”

Acts 1997, No. 1211, § 40: July 1, 1997. Emergency clause provided: “It is hereby found and determined by the Eighty-First General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1997 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1997 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997.”

Acts 2019, No. 82, § 23: July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the General Improvement Fund should no longer be utilized; that the Development and Enhancement Fund is necessary to complete unfinished state projects; and that this act is necessary to address infrastructure needs and unanticipated needs of the State of Arkansas. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodedified sections of this act preceding the emergency clause titled ‘Funding and classification of cabinet-level department secretaries’ and ‘Transformation and Efficiencies Act transition team’ should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

6-62-701. Title.

This subchapter may be referred to and cited as the “Arkansas College Savings Bond Act of 1989”.

History. Acts 1989, No. 683, § 1.

6-62-702. Legislative findings and declaration of public necessity.

The General Assembly hereby finds:

(1) The availability of higher educational opportunities for families in the state with school-age children has become increasingly necessary in order to preserve and protect the health, welfare, and prosperity of

the state and its citizens and the increasing competitiveness and technological sophistication of today's products, services, and markets and the growing importance of our dynamic economy requires a highly educated and well-trained work force in order for the state to preserve, protect, and promote employment opportunities;

(2) A strong system of higher education has been and will continue to be not only a wellspring for the enhancement of the state's cultural well-being, but also a substantial contributing factor to the growth of the state's economy by stimulating the development of new products and services, and the ability of families who are residents of the state to provide the means to afford the cost of higher education for the children in the family is a matter of highest concern to those families;

(3) The state has made a substantial investment in higher education through direct support of public higher education through appropriations, grants, subsidies, and loans, through support of student assistance, and its citizens, and through charitable and philanthropic support to public and private institutions of higher education from individuals and organizations within the state. As a result of this investment, the state has a major financial interest in assisting families in providing themselves with the means to bear the cost of higher education;

(4) In recent years tuition and other costs such as required fees and charges, room and board, and similar expenses have increased at rates in excess of the average inflation rate, while available sources of student assistance have not kept pace with those costs. Families have not found convenient and simple methods to make secure investments which meet the rising cost of higher education. The state would benefit from a program which would decrease families' reliance on borrowed funds and increase their opportunity to invest and save to meet college expenses;

(5) There is a growing need for the state to undertake projects to renew and expand the state's higher education facilities and physical plant, including the construction, repair, expansion, and renewal of various education facilities, and to provide for the acquisition of teaching and research equipment and library assets;

(6) As a consequence of the importance to the state in providing an appropriate vehicle for state residents in which to invest for the cost of higher education at a time when there is a present and growing need for the state to finance major improvements for its state institutions of higher education, an opportunity exists to address those combined and interrelated objectives of the state through a program which provides for the financing of a portion of the state institutions' higher education needs through a financing program also designed to meet the needs of families who desire a suitable investment to provide against the rising cost of higher education; and

(7) The General Assembly therefore finds that the public policies and responsibilities of the state as set out in this section cannot be fully obtained without the use of public financing and that such public

financing can only be provided by the adoption of this subchapter by the General Assembly and its approval by the electors of the state.

History. Acts 1989, No. 683, § 2.

6-62-703. Definitions.

In this subchapter, unless the context otherwise requires:

(1) “Authority” means the Arkansas Development Finance Authority;

(2) “Cost of higher education” shall include, but not be limited to, the cost of tuition, room and board related to instruction, books, laboratory materials, tools, and other supplies necessary and related to a course of instruction at an institution of higher education;

(3) “Debt service” means principal, interest, and redemption premiums, if any, and trustees’ and paying agents’ and like servicing fees relative to the bonds;

(4) “Develop” means to construct, acquire by purchase or, as set forth herein, by eminent domain, install or equip any lands, buildings, improvements, machinery, equipment, or other properties of whatever nature, real, personal, or mixed;

(5) “Institution of higher education” means any public university, college, technical college, and community college now or hereafter established or authorized by the General Assembly or any nonpublicly supported not-for-profit college or university;

(6) “Person” means any individual, partnership, or corporation, or any county, municipality, or school district of the State of Arkansas, or agency thereof, or any agency of the State of Arkansas;

(7) “Project” means any lands, buildings, improvements, machinery, equipment, or other property, real, personal, or mixed, or any combination thereof, developed in pursuance of all or any of the purposes of this subchapter;

(8) “Project costs” means all or any part of the costs of developing any project hereunder, costs incidental or appropriate thereto, and costs incidental or appropriate to the financing thereof, including, without limitation, capitalized interest, appropriate reserves and fees and costs for engineering, legal, and other administrative and consultant services;

(9) “State” means the State of Arkansas;

(10) “State board” means the Arkansas Higher Education Coordinating Board; and

(11) “State institution of higher education” means any public university, college, technical college, and community college now or hereafter established or authorized by the General Assembly.

History. Acts 1989, No. 683, § 4; 1991, No. 102, §§ 2, 3; 1993, No. 171, § 1.

6-62-704. Construction.

(a) This subchapter shall be liberally construed to accomplish the purposes hereof. This subchapter shall constitute the sole authority necessary to accomplish the purposes hereof, and to this end it shall not be necessary that the provisions of other laws pertaining to the development of public facilities and properties and the financing thereof be complied with.

(b) This subchapter shall be interpreted to supplement existing laws conferring rights and powers upon the Arkansas Development Finance Authority and the Arkansas Higher Education Coordinating Board, and the rights and powers set forth herein shall be regarded as alternative methods for the accomplishment of the purposes of this subchapter.

History. Acts 1989, No. 683, § 27.

6-62-705. Power and duties of Arkansas Development Finance Authority and Arkansas Higher Education Coordinating Board.

(a) The Arkansas Development Finance Authority and the Arkansas Higher Education Coordinating Board, jointly, in addition to powers conferred under other laws, shall have the power under this subchapter to:

(1) Provide loans from bond proceeds to state institutions of higher education, including technical colleges, community colleges, or agencies and instrumentalities of the state for payment of project costs;

(2) Construct or cause to be constructed with proceeds of the bonds or loans by the authority and the board, lease as lessee, and in any manner acquire, own, hold, maintain, operate, sell, dispose of, lease as lessor, exchange, mortgage, or lend with respect to all or any part of any project;

(3) Acquire, own, hold, use, exercise, sell, mortgage, pledge, hypothecate, and in any manner to dispose of franchises, rights, privileges, licenses, rights-of-way, and easements necessary, useful, or appropriate for the exercise of the powers or implementation or the purposes set forth in this subchapter;

(4) Sell and convey, mortgage, pledge, lease as lessor, and otherwise dispose of all or any part of any project or other properties, tangible or intangible, including, without limitation, franchises, rights, privileges, licenses, rights-of-way, and easements;

(5) Have and exercise the right of eminent domain for the purpose of acquiring lands, the fee title thereto or any easement, right-of-way, or other interest or estate therein, for projects or portions thereof, by the procedure now provided for condemnation by railroads by §§ 18-15-1201 — 18-15-1207;

(6) Make or accept gifts or grants of moneys, services, franchises, rights, privileges, licenses, rights-of-way, easements, or other property, real or personal or mixed;

(7) Make any and all contracts necessary or convenient for the exercise of the powers or implementation of the purposes set forth in this subchapter;

(8) Fix, regulate, and collect rates, fees, rents, or other charges for the use of any properties or services furnished by the authority or the board;

(9) Require audits of any or all accounts related to construction, operation, or maintenance of any project funded by this subchapter;

(10) Take reasonable actions necessary to ensure that debt service requirements are met; and

(11) Take such other action as may be appropriate to accomplish the purposes of this subchapter.

(b) The board and the authority are authorized to promulgate rules with respect to their powers and duties pursuant to this subchapter.

History. Acts 1989, No. 683, §§ 14, 25; deleted “and regulations” following “rules” 1993, No. 171, § 2; 2019, No. 315, § 376. in (b).

Amendments. The 2019 amendment

6-62-706. Financial resources or financial aid or assistance.

(a) The Arkansas Development Finance Authority, with the assistance of the Arkansas Higher Education Coordinating Board, shall develop and implement an educational program with marketing strategies designed to inform parents of the options available for financing a college education and the need to accumulate financial resources necessary to pay for a college education.

(b) In evaluating the financial situation of a student, proceeds of bonds or accumulated bonds and interest in an amount not in excess of five thousand dollars (\$5,000) annually for undergraduate students, and not in excess of seven thousand five hundred dollars (\$7,500) for postgraduate students shall not be deemed a financial resource of or a form of financial aid or assistance to such student, for the purposes of determining the eligibility of such student for any scholarship, grant, or monetary assistance awarded by the state or any agency thereof, nor shall such annual amounts of proceeds of any bond or accumulated bonds and interest provided for a qualified student under this subchapter reduce the amount of any scholarship, grant, or monetary assistance that such student is entitled to be awarded by the state or any agency thereof in accordance with the provisions of any other section of this subchapter or any other law of this state.

History. Acts 1989, No. 683, §§ 23, 24.

A.C.R.C. Notes. Acts 1989, No. 683, § 24, provided, in part, that the Authority “shall report to the Governor and the

General Assembly on the program developed and its operation no later than September 30, 1991.”

6-62-707. Bonds — Authorization — Amount outstanding.

The Arkansas Development Finance Authority, the “authority”, on behalf of the State of Arkansas is hereby authorized to issue bonds and to have bonds outstanding which shall be general obligations of the State of Arkansas, to be known as Arkansas college savings general obligation bonds, the “bonds”, in the total principal amount of not exceeding three hundred million dollars (\$300,000,000), for the purposes set forth herein.

History. Acts 1989, No. 683, §§ 3(a), 20; 1991, No. 102, § 1.

6-62-708. Bonds — Principal amount.

The total principal amount of bonds to be issued during any fiscal biennium shall not exceed three hundred million dollars (\$300,000,000), nor shall the principal amount of bonds outstanding at any time have debt service requirements in excess of twenty-four million dollars (\$24,000,000) in any one (1) fiscal year from all sources.

History. Acts 1989, No. 683, § 3(b); 1991, No. 102, § 1; 1995, No. 1167, § 5; 1997, No. 342, § 43; 1997, No. 1211, § 32.

6-62-709. Bonds — Issuance — Duties of Arkansas Higher Education Coordinating Board and Arkansas Development Finance Authority.

(a) Provided further that, before any bonds may be issued during any fiscal biennium, the Arkansas Higher Education Coordinating Board shall submit to the Governor a written plan for projects to be performed with the proceeds derived from the sale of such bonds, the need for, the estimated benefits thereof, and the anticipated debt service requirements. None of the proceeds from the issuance of the bonds as authorized herein shall be used for athletic facilities.

(b) Upon receipt thereof, the Governor shall confer with the Chief Fiscal Officer of the State concerning the amount available in the state General Improvement Fund or its successor fund or fund accounts, including the Development and Enhancement Fund, which funds shall be used to defray the debt service requirements in amounts as are determined to be available. The Chief Fiscal Officer of the State shall then determine whether the annual amount of general revenue funds required to be set aside from the net general revenue as defined in the Revenue Stabilization Law, § 19-5-101 et seq., for payment of the remaining debt service requirements in connection with the bonds during either year of the fiscal biennium in which the bonds are to be issued, would work undue hardship upon any agency or program supported from general revenues under the Revenue Stabilization Law, § 19-5-101 et seq.

(c) In connection with its duties and powers hereunder, the Arkansas Development Finance Authority shall have the following responsibilities:

(1) To make recommendations to the Governor and the Chief Fiscal Officer of the State regarding the marketing of the bonds to ensure, to the extent possible, their broad distribution throughout the state for educational purposes;

(2) To advise the Governor and the Chief Fiscal Officer of the State on an effective advertising campaign to inform the general public about the bonds and their availability;

(3) To advise the Governor and the Chief Fiscal Officer of the State regarding the increments in which to market the bonds and recommend maturity dates which will make funds available to purchasers at a time when such funds are needed for educational purposes;

(4) To advise the Governor and the Chief Fiscal Officer of the State regarding additional financial incentives as provided in this subchapter;

(5) To advise the Governor and the Chief Fiscal Officer of the State on the minimum denominations to market the bonds so that they are affordable by individuals;

(6) To evaluate the feasibility of staggered or periodic forms of payment for bonds, and to advise the Governor and Chief Fiscal Officer of the State regarding such evaluation;

(7) After the initial sale of bonds, to assess the effectiveness of the program and recommend constructive changes to the Governor and the Chief Fiscal Officer of the State regarding future bond sales; and

(8) To study and review alternative investment instruments with respect to their suitability for a college savings program.

(d) Upon conclusion of such studies, the Governor shall, if he or she deems the same to be in the public interest, by proclamation, authorize the board and the authority to proceed with the issuance of the bonds as provided herein.

(e) If the Governor shall decline or refuse to give his or her approval for the issuance of such bonds, and shall decline to issue a proclamation approving the issuance thereof, the Governor shall promptly notify the board and the authority, in writing, and the authority shall not issue such bonds, but the board may resubmit a request to the Governor for the issuance thereof within one (1) year from the date of notice of the Governor's refusal to grant approval for the issuance thereof.

(f) The issue as resubmitted to the Governor shall be dealt with in the same manner as provided for the initial request for authority to issue the bonds.

History. Acts 1989, No. 683, § 3; 1991, No. 102, § 1; 2019, No. 82, § 2.

A.C.R.C. Notes. Acts 2019, No. 82, § 1, provided: "Legislative intent. It is the intent of the General Assembly that the creation of the Development and En-

hancement Fund is necessary to provide a mechanism to disburse funds for:

"(1) Various construction and improvement projects;

"(2) Unforeseen needs;

"(3) Funding deficiencies; and

“(4) The completion of projects previously funded by the General Assembly.”

Amendments. The 2019 amendment, in (b), inserted “or its successor fund or

fund accounts, including the Development and Enhancement Fund”, and made stylistic changes.

6-62-710. Bonds — Financial incentives.

(a) The proceedings of the Arkansas Higher Education Coordinating Board, the Arkansas Development Finance Authority and the Governor authorizing the issuance of bonds may also provide for additional financial incentives to be provided to holders of such bonds to encourage the enrollment of students at institutions of higher education located within the state.

(b)(1) Such financial incentives shall be in the form as recommended by the state board and approved by the Governor and Chief Fiscal Officer of the State at the time of the authorization of such bonds and may include, among others, supplemental payments to the holders of such bonds at maturity when such proceeds are to be applied to the cost of higher education as defined in § 6-62-703 at an institution of higher education located within the state.

(2) Such financial incentives shall be provided only if, in the sole judgment of the Governor and the Chief Fiscal Officer of the State that the cost of such incentives shall not cause the cost to the state of the proceeds of the bonds being sold to be increased by more than five-tenths of one percent (0.5%).

(c) No such financial incentives shall be paid to assist in the financing of an education of a student:

(1) In a school or department of divinity for any religious denomination; or

(2) Pursuing a course of study consisting of training to become a minister, priest, rabbi, or professional person in the field of religion.

History. Acts 1989, No. 683, § 19.

6-62-711. Bonds — Purposes.

Bonds issued under this subchapter shall be issued for the purpose of financing the development of higher education projects at state institutions of higher education, and the proceeds of any bonds issued under this subchapter shall be applied for the payment of project costs or the refunding of bonds outstanding as authorized in § 6-62-709(b) and (c) and § 6-62-715.

History. Acts 1989, No. 683, § 6.

6-62-712. Bonds — Terms and conditions generally.

The bonds:

(1) May be issued in the form of coupon bonds, payable to bearer, or as bonds registered as to principal only with interest coupons, or as bonds registered as to both principal and interest without coupons;

- (2) May be in such denominations;
- (3) May be made exchangeable for bonds of another form or denomination, bearing the same rate of interest and date of maturity;
- (4) May be made payable as to principal and interest at such places within or without the state;
- (5) May be made subject to redemption prior to maturity in such manner and for such redemption prices; and
- (6) May contain such other terms and conditions all as the Arkansas Development Finance Authority shall determine.

History. Acts 1989, No. 683, § 5.

6-62-713. Bonds — Terms and conditions — Series bonds.

(a) The bonds shall be issued whether or not the interest is subject to federal income taxation, in series, as set forth herein, in amounts sufficient to finance all or any part of project costs with the respective series to be designated in alphabetical order or by the year in which issued.

(b) The bonds of each series shall:

(1) Have such date as the Arkansas Development Finance Authority shall determine and shall mature semiannually or annually, or be subject to mandatory sinking fund redemption, over a period ending not later than thirty (30) years after the date of the bonds of each series so as to provide annual debt service of approximately equal amounts insofar as practicable each year throughout the term of the bonds, as determined by the authority. Pending the issuance of bonds hereunder, the authority may issue temporary notes, to be exchanged for or paid from the proceeds of bonds at such times as bonds may be issued;

(2) Bear interest at the rate or rates accepted by the authority at the sale of the bonds. Interest shall be payable at such times and in such manner as the authority shall determine, including the utilization of zero coupon or capital appreciation bonds; and

(3) Have all the qualities of negotiable instruments under the laws of the State of Arkansas, subject to the provisions regarding registration of ownership set forth above.

History. Acts 1989, No. 683, § 5.

6-62-714. Bonds — Resolution or trust indenture — Selection of projects.

(a) All bonds issued hereunder shall be authorized by resolution of the Arkansas Development Finance Authority. Each such resolution shall contain such terms, covenants, and conditions as are deemed desirable, including, without limitation, those pertaining to the establishment and maintenance of funds and accounts, to the deposit and investment of revenues and of bond proceeds, and to the rights and obligations of the state, its officers and officials, the authority, and the holders and registered owners of the bonds. All bonds issued under this

subchapter shall be on a parity as to security. The resolution of the authority may provide for the execution and delivery by the authority of a trust indenture or trust indentures, with a bank or banks located within or without the state, containing any of the terms, covenants, and conditions referred to above, which trust indenture or trust indentures shall be binding upon the state and its officers and officials to the extent set forth in this subchapter.

(b) Any resolution or trust indenture adopted or executed under this section shall provide that power is reserved to apply to the payment of debt service on the bonds issued or secured thereunder all or any part of the revenues derived from any program or project financed by such bonds, and, to the extent of such revenues, to release from any requirement of such resolution or trust indenture other revenues and resources of the state, including, without limitation, the net general revenue required to be transferred under § 6-62-719.

(c) Any resolution of trust indenture adopted or executed under this section may provide for the retirement and defeasance of the bonds by the depositing in trust of cash or investments maintained for that purpose, and, when the provisions of such resolution or trust indenture are complied with, such bonds being refunded shall not be deemed to be bonds outstanding for the purposes of this subchapter.

(d) The Arkansas Higher Education Coordinating Board may select projects for financing and development under this subchapter which offer reasonable and realistic prospects for the production of revenues, whether by direct user fees, sales, royalties, program or gate receipts, or otherwise.

History. Acts 1989, No. 683, § 7; 1991, No. 102, § 4.

6-62-715. Refunding bonds.

(a) Bonds may also be issued for the purpose of refunding, either at maturity or in advance of maturity, any bonds issued under this subchapter.

(b)(1) Such refunding bonds may either be sold or delivered in exchange for the bonds being refunded.

(2) If sold, the proceeds may either be applied to the payment of the bonds being refunded or deposited in trust and there maintained in cash or investments for the retirement of the bonds refunded, as shall be specified by the Arkansas Development Finance Authority and the authorizing resolution or trust indenture securing such refunding bonds.

(c) The authorizing resolution or trust indenture securing the refunding bonds may provide that the refunding bonds shall have the same security for their payment as provided for the bonds being refunded. Refunding bonds shall be sold and secured in accordance with provisions of this subchapter pertaining to the sale and security of the bonds.

History. Acts 1989, No. 683, § 20.

6-62-716. Bonds — Execution.

(a) Each bond shall be signed with the facsimile signatures of the Governor, the Secretary of State, and the Chair of the Arkansas Development Finance Authority and by the manual or facsimile signature of the Treasurer of State or by a deputy of the Treasurer of State, and shall have affixed or imprinted thereon the Great Seal of the State of Arkansas.

(b) Interest coupons attached to the bonds, if any, shall be signed with the facsimile signature of the Treasurer of State.

(c) Delivery of bonds and coupons so executed shall be valid, notwithstanding any change in persons holding such offices occurring after the bonds have been executed.

History. Acts 1989, No. 683, § 8.

6-62-717. Bonds — Sale — Employment of administrative agents, fiscal agents, and legal counsel.

(a) The bonds may be sold in such manner, either at public or private sale, and upon such terms as the Arkansas Development Finance Authority shall determine to be reasonable and expedient for effectuating the purposes of this subchapter. The bonds may be sold at such prices as the authority may accept, including, but not limited to, sale at discount or a premium.

(b)(1) If the bonds are sold at public sale, such public sale shall be on sealed bids, after notice published by the chair of the authority for at least one (1) insertion not less than twenty (20) days before the date of sale in a newspaper published in Little Rock, Arkansas, and in a financial newspaper or journal published in the Borough of Manhattan, City and State of New York, which notice shall contain such other terms and provisions as the authority determines to be desirable.

(2) The authority shall award the sale to the bidder offering to purchase the bonds at a price which results in the lowest net interest cost or true interest to the State of Arkansas determined by computing the total interest cost from date of the issue to maturity, and deducting therefrom any premium bid and adding thereto the amount of any discount bid.

(3) Provided, however, the authority shall reserve the right to reject all bids tendered at such public sale.

(c) If the bonds are sold at a private or negotiated sale, within ninety (90) days following the close of such bond issue, the authority shall file with the Legislative Council a written report of the details of the bond sale, which report shall include a listing of the firms to whom the sale was made, the rate or rates of interest paid for the bonds, the underwriting fee or discount, and other details of the underwriting of the bonds.

(d) The costs of publication of notices, bond printing, official statements, other documents, and other costs associated with the sale, issuance, and delivery of the bonds shall be paid from the proceeds of the bonds.

(e) The authority may employ administrative agents, fiscal agents, and legal counsel and may pay them reasonable compensation out of the proceeds of the bonds.

History. Acts 1989, No. 683, § 9.

6-62-718. Bonds — General obligations — Pledge of revenues.

(a) The bonds shall be direct general obligations of the State of Arkansas, for the payment of the debt service on which the full faith and credit of the State of Arkansas are hereby irrevocably pledged so long as any such bonds are outstanding.

(b) The bonds shall be payable from the general revenues of the state as such term is defined in the Revenue Stabilization Law, § 19-5-101 et seq., and such amount of general revenues as is necessary is hereby pledged to the payment of debt service on the bonds and shall be and remain pledged for such purposes.

History. Acts 1989, No. 683, § 11.

6-62-719. Bonds — Payment — Bond fund — Debt Service Reserve Fund.

(a) On or before the commencement of each fiscal year, the Chief Fiscal Officer of the State shall determine the estimated amount required for payment of all or a part of debt service on the bonds issued under this subchapter during such fiscal year, after making deductions therefrom of estimated moneys to be available to the authority from other sources therefor and making the necessary transfer of such moneys, and shall certify such estimated amount to the Treasurer of State, who shall make monthly transfers from the State Apportionment Fund to the bond fund to provide for payment of all or part of the debt service on the bonds issued under this subchapter, of such amount of net general revenue as such term is defined in the Revenue Stabilization Law, § 19-5-101 et seq., as shall be required to pay the maturing debt service on bonds issued under this subchapter.

(b)(1) The Treasurer of State shall make such additional monthly transfer or transfers of net general revenue as the Chief Fiscal Officer of the State shall certify to him or her as being required to enable the Arkansas Development Finance Authority to establish and thereafter maintain a debt service reserve fund, to provide a reserve or reserves for payment of debt service on the bonds.

(2)(A) The obligation to make monthly transfers of net general revenue from the State Apportionment Fund to the bond fund and to the debt service reserve fund shall constitute a first charge against said net general revenue prior to all other uses to which said net

general revenue are devoted, either under present law or under any laws that may be enacted in the future;

(B) Provided, however, that, to the extent other general obligation bonds of the state may subsequently be incurred, all such general obligation bonds shall rank on a priority of security with respect to payment from net general revenue.

(c) Moneys credited to the bond fund and the debt service reserve fund shall be used only for the purpose of paying debt service on the bonds, either at maturity or upon redemption prior to maturity, and for such purposes, the Treasurer of State is hereby designated disbursing officer to administer such funds in accordance with the provisions of this subchapter.

(d) The debt service reserve fund shall be held and used to ensure prompt payment of debt service on the bonds in such manner and pursuant to such conditions as may be specified by the authority in the resolution or trust indenture authorizing or securing such bonds.

(e) Moneys in the bond fund and the debt service reserve fund over and above the amount necessary to ensure the prompt payment of debt service on the bonds, and the establishment and maintenance of a reserve fund, if any, may be used for the redemption of bonds prior to maturity in the manner and in accordance with the provisions pertaining to redemption prior to maturity, as set forth in the resolution or trust indenture authorizing or securing such bonds.

History. Acts 1989, No. 683, § 12;
1991, No. 102, § 6.

6-62-720. Bond — Tax exemption — Legal investments.

(a) All bonds issued under this subchapter, and interest thereon, shall be exempt from all taxes of the State of Arkansas, including income, inheritance, and property taxes.

(b) The bonds shall be eligible to secure deposits of all public funds and shall be legal for investment of municipal, county, bank, fiduciary, insurance company, and trust funds.

History. Acts 1989, No. 683, § 13.

6-62-721. Bonds — Rights and liabilities — Enforcement.

(a) This subchapter shall constitute a contract between the State of Arkansas and the holders and registered owners of all bonds issued hereunder which shall never be impaired, and any violation of its terms, whether under purported legislative authority or otherwise, shall be enjoined by the courts at the suit of any bondholder or of any taxpayer.

(b) The courts, in like suit against the Arkansas Development Finance Authority or the state board, the Treasurer of State, or other appropriate officer or official of the state, shall prevent a diversion of

any revenues pledged hereunder and shall compel the restoration of diverted revenues, by injunction or mandamus.

(c) Also and without limitation as to any other appropriate remedy at law or in equity, any bondholder, by an appropriate action, including without limitation, injunction or mandamus, may compel the performance of all covenants and obligations of the state, its officers and officials, hereunder.

History. Acts 1989, No. 683, § 15.

6-62-722. Bonds — Rights and liabilities — Commencement.

This subchapter shall not create any right of any character, and no right of any character shall arise under or pursuant to it unless and until the first series of bonds authorized by this subchapter shall have been sold and delivered.

History. Acts 1989, No. 683, § 16.

6-62-723. Bonds — Deposit of proceeds.

(a) The proceeds from the sale of the bonds, together with all revenues derived from any project financed under this subchapter shall be deposited by the Arkansas Development Finance Authority, as received, into trust funds in the State Treasury, to accomplish the purposes of this subchapter, specifically, in amounts or portions as may be set forth in the resolution or trust indenture authorizing or securing the bonds issued to finance the development of such project, into trust funds created hereby and designated as follows:

(1) Into the Higher Education Projects Development Fund, to provide for the development of projects at state institutions of higher education and the payment of project costs and expenses of the issuance of the bonds;

(2) Into the College Savings Bond Fund, to provide for payment of all or a part of debt service on bonds issued under this subchapter; and

(3) Into the College Savings Bond Debt Service Reserve Fund, to provide a reserve or reserves for payment of debt service on the bonds.

(b) The Treasurer of State is authorized and directed to establish separate accounts within such funds to correspond to the applicable series of bonds. In addition, there may be created in the State Treasury such other funds or accounts as the authority may determine in said resolution or trust indenture to be necessary to accomplish the purposes of this subchapter.

History. Acts 1989, No. 683, § 10.

6-62-724. Bonds — Investment and disbursement of funds.

(a) Any moneys held in any fund created under this subchapter shall be invested by the State Board of Finance to the full extent practicable

pending disbursement for the purposes intended. Notwithstanding any other provision of law, such investments shall be in accordance with the terms of the resolution or trust indenture as applicable.

(b) Moneys on deposit in the Higher Education Projects Development Fund shall only be disbursed for a project when requisitioned by the chair of the Arkansas Higher Education Coordinating Board, or duly authorized designee, and approved by the Chief Fiscal Officer of the State, or duly authorized designee, which requisition shall certify that the funds disbursed thereby are for the payment of project costs of a higher education project duly approved by the Arkansas Higher Education Coordinating Board.

History. Acts 1989, No. 683, §§ 21, 22; 1991, No. 102, §§ 5, 7.

6-62-725. Judicial review — Priority.

All cases involving the validity of this subchapter or any portion thereof, or in any way arising under this subchapter or involving the bonds issued hereunder, shall be deemed of public interest and shall be advanced by all courts and heard as a preferred cause, and all appeals from judgments or decrees rendered in such cases must be taken within thirty (30) days after the rendition of such judgment or decree.

History. Acts 1989, No. 683, § 26.

6-62-726. Rules.

(a) The Division of Higher Education or other agency to which the appropriation for college savings bonds is provided shall adopt rules for the allocation of the funds reappropriated for the development of projects at state institutions of higher education and the payment of project costs and expenses of the issuance of the bonds under this subchapter in order to ensure that funds are allocated and expended in a manner consistent with the applicable provisions of the Internal Revenue Code, 26 U.S.C. § 1 et seq.

(b) The funds reappropriated for the development of projects at state institutions of higher education and the payment of project costs and expenses of the issuance of the bonds under this subchapter shall be allocated and expended pursuant to the provisions of this subchapter and other laws of this state.

(c) The expenditure and allocation of funds shall be exempt from any other provisions of state law that conflict with any provision of the rules which are required to ensure the compliance of the program with the applicable provisions of the Internal Revenue Code.

History. Acts 1997, No. 342, § 42; 2019, No. 315, § 377; 2019, No. 910, § 2000. by No. 315 deleted “and regulations” following “rules” in (a).

Amendments. The 2019 amendment substituted “Division of Higher Education”

for "Department of Higher Education" in (a).

6-62-727. [Repealed.]

Publisher's Notes. This section, concerning the rules and regulations, was repealed by Acts 2013, No. 1155, § 20. The

section was derived from Acts 1997, No. 1211, § 31.

SUBCHAPTER 8 — ATHLETIC PROGRAMS

SECTION.

6-62-801. Purpose.

6-62-802. Definitions.

6-62-803. Limits on funding.

6-62-804. Deficits — Assessment of student athletic fee.

SECTION.

6-62-805. Certification by board of trustees.

6-62-806. Rules — Nondiscriminatory application.

6-62-807. Reporting expenditures.

Effective Dates. Acts 1997, No. 954, § 6: July 1, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that the state-supported institutions of higher education should be authorized to utilize additional unrestricted educational and general funds for providing gender equity in inter-collegiate athletic programs; that such authority should begin at the beginning of the next fiscal year; that this act grants such authority; and that this act will not go into effect until after the beginning of the next fiscal year unless this emergency clause is adopted. Therefore, an emergency is hereby declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997."

Acts 1999, No. 1180, § 44: July 1, 1999. Emergency clause provided: "It is hereby found and determined by the Eighty-second General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1999 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1999 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby de-

clared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1999."

Acts 2005, No. 2288, § 3: July 1, 2005. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the limitations on athletic expenditure has not been adjusted as necessary to allow for increases in inflation; that this adjustment is necessary to allow necessary expenditures for institutions of higher education; and that it is necessary for this act to begin on July 1, 2005, because that is the beginning of the fiscal year. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2005."

Acts 2013, No. 1397, § 49: July 1, 2013. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2013 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2013 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emer-

gency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2013.”

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded

sections of this act preceding the emergency clause titled ‘Funding and classification of cabinet-level department secretaries’ and ‘Transformation and Efficiencies Act transition team’ should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

6-62-801. Purpose.

The Arkansas Higher Education Coordinating Board is authorized and directed to limit unrestricted educational and general funds used to support intercollegiate athletic programs and to provide fair and equitable treatment in the amount of state subsidy of athletic program expenditures at state-supported institutions of higher education.

History. Acts 1991, No. 366, § 1.

6-62-802. Definitions.

As used in this subchapter:

(1) “Athletic deficit” means the amount of athletic expenditures offset by the amount of athletic revenues, including:

- (A) Athletic-generated income;
- (B) Profits from other auxiliary enterprises;
- (C) The federally funded portion of college work-study students in the intercollegiate athletic program;
- (D) Transfers from funds other than the unrestricted educational and general fund; and
- (E) The allowable unrestricted educational and general transfer for four-year institutions, for two-year branches of four-year institutions, and for other two-year institutions of higher education;

(2) “Athletic expenditures” means:

- (A) All direct and indirect expenses, prorated if necessary, including salaries;
- (B) All fringe benefits such as medical and dental insurance, workers’ compensation, pension plans, tuition waivers, and any other cost associated with recruitment and retention of staff;
- (C) Travel;
- (D) Equipment;
- (E) Scholarships;
- (F) Meals;
- (G) Housing and dormitory supplies;

- (H) Supplies;
 - (I) Property and medical insurance;
 - (J) Medical expenses;
 - (K) Utilities; and
 - (L) Maintenance of facilities related to all intercollegiate teams and spirit groups, excluding bands; and
- (3) "Athletic program" means intercollegiate athletics.

History. Acts 1991, No. 366, § 2; 1997, No. 954, § 1; 2005, No. 2288, § 1.

6-62-803. Limits on funding.

(a) For the certification required under § 6-62-805, the amount allowed to be budgeted of unrestricted educational and general funds for intercollegiate athletic programs at state-supported institutions of higher education shall be limited to an amount established by the Division of Higher Education for the fiscal year 2012-2013 or an amount of not more than two percent (2%) of the actual total unrestricted educational and general revenues of the previous fiscal year at institutions of higher education.

(b) The division shall annually adjust the allowable transfer based upon the Consumer Price Index.

(c) This section shall not apply to expenditures related to compliance with § 6-60-111 or increased compliance under 20 U.S.C. § 1092(f).

History. Acts 1991, No. 366, § 3; 1997, No. 954, § 2; 2005, No. 2288, § 2; 2013, No. 1397, § 42; 2017, No. 563, § 3; 2019, No. 910, § 2001.

Amendments. The 2017 amendment added (c).

The 2019 amendment substituted "Division of Higher Education" for "Department of Higher Education" in (a); and substituted "division" for "department" in (b).

6-62-804. Deficits — Assessment of student athletic fee.

(a) Any athletic deficit of an institution shall be funded by a student athletic fee authorized by the board of trustees of each institution.

(b) The student athletic fee shall be assessed on the basis of student semester credit hour and shall be clearly defined in all publications and institutional board minutes as being for the support of intercollegiate athletics, separate and distinct from other tuition or student activity fees.

History. Acts 1991, No. 366, § 4.

6-62-805. Certification by board of trustees.

The board of trustees of each institution shall certify annually by June 15 of each year to the Arkansas Higher Education Coordinating Board:

- (1) That the intercollegiate athletic program will generate sufficient revenue through athletic-generated revenue, other auxiliary profits, other coordinating board-approved revenue sources, and the allowable state support as set out in § 6-62-803; or
- (2) That any athletic deficit will be met by separate institutional board-sanctioned student athletic fees within the limitations established in this subchapter.

History. Acts 1991, No. 366, § 5.

6-62-806. Rules — Nondiscriminatory application.

- (a) The Arkansas Higher Education Coordinating Board is authorized to promulgate any rules necessary for the implementation of this subchapter.
- (b) The provisions of this subchapter shall not be implemented in such a way as to discriminate against women’s athletic programs.

History. Acts 1991, No. 366, §§ 6, 7; 2019, No. 315, § 378.

Amendments. The 2019 amendment

deleted “or regulations” following “rules” in (a).

6-62-807. Reporting expenditures.

In accordance with the uniform reporting and auditing of intercollegiate athletic expenditures of state-supported institutions of higher education, maintenance of facilities expenditures related to all intercollegiate teams and spirit groups, excluding bands, shall be reported as actual costs of operating such athletic facilities or a proration of actual costs based on athletic usage.

History. Acts 1999, No. 1180, § 37.

SUBCHAPTER 9 — ARKANSAS TUITION TRUST AUTHORITY

[Repealed.]

SECTION.
6-62-901 — 6-62-911. [Repealed.]

6-62-901 — 6-62-911. [Repealed.]

Publisher’s Notes. This subchapter was repealed by Acts 1999, No. 996, § 14. The subchapter was derived from the following sources:

6-62-901. Acts 1993, No. 1222, § 1; 1997, No. 861, § 1.

6-62-902. Acts 1993, No. 1222, § 1.

6-62-903. Acts 1993, No. 1222, § 1; 1997, No. 250, § 27; 1997, No. 861, § 3; 1997, No. 1354, § 8.

6-62-904. Acts 1993, No. 1222, § 1.

6-62-905. Acts 1993, No. 1222, § 1.

6-62-906. Acts 1993, No. 1222, § 1; 1997, No. 861, § 2.

6-62-907. Acts 1993, No. 1222, § 1.

6-62-908. Acts 1993, No. 1222, § 1.

6-62-909. Acts 1993, No. 1222, § 1.

6-62-910. Acts 1993, No. 1222, § 1.

6-62-911. Acts 1993, No. 1222, § 1.

SUBCHAPTER 10 — WORKERS' COMPENSATION INSURANCE

SECTION.

6-62-1001. Coverage required.

6-62-1002. Election to provide self-funded coverage.

6-62-1003. Private, municipal, or self-funded coverage.

SECTION.

6-62-1004. Election to provide coverage through Public Employee Claims Division.

Effective Dates. Acts 1997, No. 1202, § 8: July 1, 1997. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act requires all two-year and four-year public institutions of higher education to provide workers' compensation for their employees; and that it is in

the best interest of the employees shall become effective on July 1, 1997. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective July 1, 1997."

6-62-1001. Coverage required.

(a) All two-year and four-year public institutions of higher education shall be required to provide workers' compensation coverage for their employees.

(b) Coverage shall be provided for losses incurred while performing work for the two-year or four-year public institution of higher education.

History. Acts 1997, No. 1202, § 1.

6-62-1002. Election to provide self-funded coverage.

(a) Claims incurred on and after the effective date that a public institution of higher education elects to provide self-funded coverage under this subchapter shall be the responsibility of the two-year or four-year public institution of higher education.

(b) Claims incurred prior to the effective date that a public institution of higher education elects to provide self-funded coverage under this subchapter shall become the responsibility of the two-year or four-year public institution of higher education, and the workers' compensation trust fund maintained for each institution by the Department of Finance and Administration shall be paid to the institution by the Public Employee Claims Division on the effective date of the election.

(c) The division shall assist and provide necessary records to institutions making an election under this subchapter or to their designees.

History. Acts 1997, No. 1202, § 2.

6-62-1003. Private, municipal, or self-funded coverage.

(a) Two-year and four-year public institutions of higher education may provide workers' compensation coverage through private carriers, municipal self-funding groups, or one (1) or more self-funded entities or groups.

(b) Self-funding groups established for this purpose shall meet the following requirements:

(1) Any group established to provide coverage to public institutions of higher education only shall offer coverage to any two-year or four-year public institution of higher education in the state that applies for coverage;

(2)(A) Any group established to provide workers' compensation coverage to public institutions of higher education shall offer coverage at rates promulgated by the Workers' Compensation Commission.

(B) Premiums for public institutions of higher education participating in any group shall be revised annually based on the loss experience of the particular institution of higher education or group of public institutions of higher education.

(C) Each board governing a self-funding group shall be permitted to declare dividends or to give credits against renewal premiums based on annual loss experience and subject to commission approval;

(3) Any self-funding group of participating public institutions of higher education shall be subject to the rules of the commission applicable to self-insured groups or providers;

(4)(A) All self-funded groups shall obtain excess reinsurance from an admitted or approved insurance company doing business in Arkansas.

(B) In lieu of the reinsurance requirements in subdivision (b)(4)(A) of this section, any self-funded group under this section with one million five hundred thousand dollars (\$1,500,000) or more in annually collected premiums may provide excess reserves of twenty percent (20%) of annual premiums by any one (1) of the following ways:

(i) Cash or certificates of deposit in Arkansas banks; or

(ii) Letters of credit from an Arkansas bank; and

(5) Two-year and four-year public institutions of higher education shall not be required to enter into an indemnity agreement binding them jointly and severally.

History. Acts 1997, No. 1202, § 3; substituted "rules" for "regulations" in 2019, No. 315, § 379.

(b)(3).

Amendments. The 2019 amendment

6-62-1004. Election to provide coverage through Public Employee Claims Division.

Nothing in this subchapter shall require two-year or four-year public institutions of higher education to provide workers' compensation coverage through one (1) or more self-funded entities or groups, and an

institution may elect to provide coverage through the Public Employee Claims Division in the same manner as do other state agencies.

History. Acts 1997, No. 1202, § 4.

SUBCHAPTER 11 — HIGHER EDUCATION TECHNOLOGY AND FACILITY IMPROVEMENT

SECTION.

- 6-62-1101. Title.
- 6-62-1102. Legislative findings.
- 6-62-1103. Definitions.
- 6-62-1104. Power and duties.
- 6-62-1105. Authorization — Purposes.
- 6-62-1106. Bonds — Debt service limitation.
- 6-62-1107. Projects to be financed.
- 6-62-1108. Election.
- 6-62-1109. Procedure for issuing bonds.
- 6-62-1110. Terms of bonds.
- 6-62-1111. Sale of bonds.
- 6-62-1112. Transfer of funds for debt service.

SECTION.

- 6-62-1113. Sources of repayment.
- 6-62-1114. Deposit and investment of proceeds.
- 6-62-1115. Use of bond proceeds.
- 6-62-1116. Refunding bonds.
- 6-62-1117. Tax exemption.
- 6-62-1118. Employment of professionals.
- 6-62-1119. Construction.
- 6-62-1120. Rights and liabilities — Enforcement.
- 6-62-1121. Rights and liabilities — Commencement.
- 6-62-1122. Judicial review — Priority.

Effective Dates. Acts 2005, No. 1282, § 2: Mar. 29, 2005. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that there is an immediate need for a program to finance the design, development, equipping, acquisition, improvement, and construction of technology projects and facility improvement projects at state institutions of higher education within the state; that such a program cannot be accomplished without the issuance of bonds secured by the general revenues of the state to finance the program; and that this act authorizes the issuance of the necessary bonds. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If

the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2019, No. 82, § 23: July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the General Improvement Fund should no longer be utilized; that the Development and Enhancement Fund is necessary to complete unfinished state projects; and that this act is necessary to address infrastructure needs and unanticipated needs of the State of Arkansas. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-62-1101. Title.

This subchapter may be referred to and cited as the "Arkansas Higher Education Technology and Facility Improvement Act of 2005".

History. Acts 2005, No. 1282, § 1.

6-62-1102. Legislative findings.

The General Assembly finds that:

(1) Expanded availability of higher educational opportunities for families in this state with school-age children has become increasingly necessary in order to preserve and protect the health, welfare, and prosperity of this state and its citizens;

(2) The increasing competitiveness and technological sophistication of today's products, services, and markets and the growing importance of our dynamic economy require a highly educated and well-trained work force in order for this state to preserve, protect, and promote employment opportunities;

(3) A strong system of higher education has been and will continue to be not only a wellspring for the enhancement of this state's cultural well-being but also a substantial contributing factor to the growth of this state's economy by stimulating the development of new products and services;

(4) There is a growing need for this state to undertake projects to upgrade and expand this state's higher education technology equipment and to improve this state's higher education and physical plant; and

(5) The public policies and responsibilities of this state as described in this section cannot be fully obtained without the use of public financing and that the public financing can only be provided by the adoption of this subchapter by the General Assembly and its approval by the electors of the State of Arkansas.

History. Acts 2005, No. 1282, § 1.

6-62-1103. Definitions.

As used in this subchapter:

(1) "Athletic facilities" means facilities used primarily for intercollegiate or intramural sports;

(2) "Bonds" means the State of Arkansas Higher Education General Obligation Bonds as authorized in this subchapter;

(3) "Debt service" means all amounts required for the payment of principal, interest, and premium, if any, due with respect to the bonds in any fiscal year, along with all associated costs, including the fees and costs of paying agents and trustees, remarketing agent fees, credit enhancement costs, arbitrage rebate costs, administrative costs, and other amounts necessary in connection with the repayment of and security for the bonds;

(4) "Develop" or "development" means the construction, repair, renovation, design, expansion, improvement, acquisition, installation, or equipping of any lands, buildings, improvements, machinery, equipment, or other properties of whatever nature, real, personal, or mixed;

(5) "Facility improvement projects" means any lands, buildings, improvements, machinery, equipment, or other property, real, personal, or mixed or any combination of property developed in pursuance of all

or any of the purposes of this subchapter as promulgated by the rules established by the Arkansas Higher Education Coordinating Board that are not technology projects as defined in this subchapter;

(6) "General revenues" means the general revenues defined in § 19-6-201;

(7) "Project costs" means all or any part of the costs of developing any projects under this subchapter, costs of refunding bonds issued under this subchapter or under the Arkansas College Savings Bond Act of 1989, § 6-62-701 et seq., costs incidental or appropriate to the projects or bonds, and costs incidental or appropriate to the financing of the projects or bonds, including, without limitation, costs of issuance of the bonds, capitalized interest, liquidity facility fees, appropriate reserves, credit enhancement, bond insurance or surety bond premiums, the administrative fees of the issuer, and fees and costs for engineering, legal, and other professional, administrative, and consultant services;

(8) "State institution of higher education" means any public university, college, technical college, or community college established or authorized by the General Assembly; and

(9) "Technology projects" means any lands, buildings, improvements, machinery, equipment, or other property, real, personal, tangible or intangible, or mixed, or any combination thereof, developed in pursuance of all or any of the purposes of this subchapter but specifically for the purpose of upgrading or expanding this state's higher education technology equipment and facilities as promulgated by the rules established by the Arkansas Higher Education Coordinating Board.

History. Acts 2005, No. 1282, § 1.

6-62-1104. Power and duties.

(a) Before any bonds may be issued during a fiscal biennium, except for refunding purposes, the Arkansas Higher Education Coordinating Board shall submit to the Governor a written plan for technology and facility improvement projects to be funded with the proceeds derived from the sale of the State of Arkansas Higher Education General Obligation Bonds, the need for the projects, the estimated benefits of the projects, and the anticipated debt service requirements for the bonds.

(b)(1) Upon receipt of the plan, the Governor shall confer with the Chief Fiscal Officer of the State concerning the amount and availability of unrestricted funds in the General Improvement Fund or its successor fund or fund accounts, including the Development and Enhancement Fund, that would be used to meet the debt service requirements.

(2) The Chief Fiscal Officer of the State shall determine whether the annual amount of the net general revenues required to be set aside from general revenues for payment of the remaining debt service requirements in connection with the bonds to be issued under this subchapter during either year of the fiscal biennium in which the bonds are to be issued would work undue hardship upon any agency or program

supported from general revenues under the provisions of the Revenue Stabilization Law, § 19-5-101 et seq.

(c) After conferring with the Chief Fiscal Officer of the State pursuant to subsection (b) of this section, if the Governor determines that issuing bonds under this subchapter is in the public interest, the Governor shall authorize by proclamation the board and the Arkansas Development Finance Authority to proceed with the issuance of the bonds under this subchapter.

(d) The authority and the board, in addition to and not in replacement or limitation of powers conferred under other laws, each shall have the power under this subchapter to:

(1) Make available bond proceeds and investment earnings on the bond proceeds to state institutions of higher education for payment of project costs in accordance with this subchapter;

(2) Enter into any and all contracts necessary or convenient for the exercise of the powers or implementation of the purposes set forth in this subchapter;

(3) Require audits or other periodic reports of any or all accounts related to construction, operation, or maintenance of any projects funded by this subchapter;

(4) Take reasonable actions to ensure that debt service requirements are met; and

(5) Take other action as may be appropriate to accomplish the purposes of this subchapter.

(e) The authority and the board are authorized to promulgate rules with respect to their powers and duties pursuant to this subchapter.

(f) No member of the authority or the board shall be liable personally for any reason arising from the issuance of bonds pursuant to this subchapter unless the person shall have acted with corrupt intent.

History. Acts 2005, No. 1282, § 1; 2019, No. 82, § 3.

A.C.R.C. Notes. Acts 2019, No. 82, § 1, provided: "Legislative intent. It is the intent of the General Assembly that the creation of the Development and Enhancement Fund is necessary to provide a mechanism to disburse funds for:

"(1) Various construction and improvement projects;

"(2) Unforeseen needs;

"(3) Funding deficiencies; and

"(4) The completion of projects previously funded by the General Assembly."

Amendments. The 2019 amendment inserted "or its successor fund or fund accounts, including the Development and Enhancement Fund" in (b)(1).

6-62-1105. Authorization — Purposes.

The Arkansas Development Finance Authority, on behalf of the State of Arkansas, is authorized, subject to the approval of the voters in a statewide election, to issue bonds to be known as "State of Arkansas Higher Education General Obligation Bonds", in a total principal amount not to exceed two hundred fifty million dollars (\$250,000,000) for the purpose of financing the development of technology projects and facility improvement projects for state institutions of higher education

and for the purpose of refunding bonds issued under the Arkansas College Savings Bond Act of 1989, § 6-62-701 et seq.

History. Acts 2005, No. 1282, § 1.

6-62-1106. Bonds — Debt service limitation.

The total principal amount of bonds outstanding under this subchapter and under the Arkansas College Savings Bond Act of 1989, § 6-62-701 et seq., shall not have combined scheduled debt service payments in excess of twenty-four million dollars (\$24,000,000) in any one (1) fiscal year.

History. Acts 2005, No. 1282, § 1.

6-62-1107. Projects to be financed.

The proceeds of bonds issued under this subchapter for nonrefunding purposes shall be used to finance the development of technology projects and facility improvement projects. However, none of the projects shall be primarily for athletic facilities.

History. Acts 2005, No. 1282, § 1.

6-62-1108. Election.

(a)(1) No bonds shall be issued under this subchapter, except as otherwise provided in this subchapter, unless the issuance of bonds and the pledge of the full faith and credit of the State of Arkansas have been approved by a majority of the qualified electors of this state voting on the question at a statewide election called by proclamation of the Governor.

(2) The election may be in conjunction with a general election, or it may be a special election.

(3) Notice of the election shall be:

(A) Published by the Secretary of State in a newspaper of general circulation in this state at least thirty (30) days prior to the election; and

(B) Mailed to each county board of election commissioners at least sixty (60) days prior to the election.

(b) The notice of election shall state that the election is to be held for the purpose of submitting to the people the following proposition, in substantially the following form:

“Authorizing the Arkansas Development Finance Authority to issue State of Arkansas Higher Education General Obligation Bonds (the “bonds”) in a total principal amount not to exceed two hundred fifty million dollars (\$250,000,000) in one (1) or more series from time to time for the purpose of financing the cost of developing technology and facility improvement projects for state institutions of higher education and financing the cost of refunding bonds issued under the Arkansas College Savings Bond Act of 1989, § 6-62-701 et seq. However, the

outstanding principal amount of bonds issued under the Arkansas Higher Education Technology and Facility Improvement Act of 2005, § 6-62-1101 et seq., and the Arkansas College Savings Bond Act of 1989, § 6-62-701 et seq., shall not have scheduled debt service payments on a combined basis in excess of twenty-four million dollars (\$24,000,000) in any one (1) fiscal year.

“The bonds shall be general obligations of the State of Arkansas, payable from general revenues of the state and also secured by the full faith and credit of the State of Arkansas, including its general revenues. The bonds shall be issued pursuant to the authority of and the terms set forth in the Arkansas Higher Education Technology and Facility Improvement Act of 2005.”

(c) The ballot title shall be “Issuance of State of Arkansas Higher Education General Obligation Bonds and Pledge of Full Faith and Credit of the State of Arkansas”. On each ballot there shall be printed the title, the proposition set forth in § 6-62-1108(b), and the following:

“FOR issuance of State of Arkansas Higher Education General Obligation Bonds and Pledge the Full Faith and Credit of the State of Arkansas.”

“AGAINST issuance of State of Arkansas Higher Education General Obligation Bonds and Pledge the Full Faith and Credit of the State of Arkansas.”

(d)(1) The county boards of election commissioners in each of the counties of this state shall hold and conduct the election.

(2) Each county board of election commissioners shall take necessary action with respect to the appointment of election officials and other matters as required by law.

(3) The vote shall be canvassed and the result of the vote declared in each county by the board of election commissioners.

(4) Within ten (10) days after the date of the election, the results shall be certified by each board to the Secretary of State, who shall tabulate all returns received and certify to the Governor the total vote for and against the proposition submitted pursuant to this subchapter.

(e) The results of the election shall be proclaimed by the Governor by the publication of the proclamation one (1) time in a newspaper of general circulation in this state. The results as proclaimed shall be conclusive unless a complaint is filed within thirty (30) days after the date of the publication in the Pulaski County Circuit Court challenging the results.

(f)(1) If a majority of the qualified electors voting on the proposition vote in favor of the issuance of the bonds, then the Arkansas Development Finance Authority and the Arkansas Higher Education Coordinating Board shall proceed with the issuance of bonds in the manner and on the terms set forth in this subchapter.

(2) If a majority of the qualified electors voting on the proposition vote against the issuance of the bonds, none of the bonds authorized by this subchapter shall be issued.

(3) Subsequent elections may be called by the Governor if the proposition fails, but each subsequent election may be held no earlier than six (6) months after the date of the preceding election.

History. Acts 2005, No. 1282, § 1.

6-62-1109. Procedure for issuing bonds.

(a)(1) Prior to the issuance of any series of bonds, the Arkansas Development Finance Authority shall adopt a resolution or trust indenture, which may be a general resolution, series resolution, master trust indenture, series indenture, supplemental indenture, or other form of resolution or indenture, as deemed necessary by the authority authorizing the issuance of the series of State of Arkansas Higher Education General Obligation Bonds.

(2) Each resolution or trust indenture shall contain the terms, covenants, and conditions as are deemed desirable and consistent with this subchapter, including, without limitation, those pertaining to the establishment and maintenance of funds and accounts, the deposit and investment of the bond proceeds and any pledged revenues, and the rights and obligations of the State of Arkansas, its officers and officials, the authority, and the registered owners of the bonds.

(3) All bonds issued under this subchapter shall be on a parity as to security. The resolutions or trust indentures of the authority may provide for the execution and delivery by the authority of a trust indenture or trust indentures with one (1) or more banks or trust companies located within or without this state containing any of the terms, covenants, and conditions described in this section and any other terms and conditions deemed necessary by the authority, which trust indenture or trust indentures shall be binding upon the authority and the State of Arkansas, and their respective officers and officials.

(b) Any resolution or trust indenture adopted or executed under this section may provide for the retirement and defeasance of the bonds by the depositing of cash or investments in trust to be maintained for that purpose. When the provisions of the resolution or trust indenture are complied with, the bonds being refunded shall not be deemed to be bonds outstanding for the purposes of this subchapter.

History. Acts 2005, No. 1282, § 1.

6-62-1110. Terms of bonds.

The State of Arkansas Higher Education General Obligation Bonds shall be subject to the following terms and conditions:

(1) Whether or not the interest is subject to federal taxation, the bonds shall be issued in series, as set forth in this section, in amounts sufficient to finance all or part of project costs or to refund bonds, with the respective series to be designated by the year in which issued and by alphabetical designation if more than one (1) series is to be issued in a particular year;

(2) The bonds of each series shall have such date or dates as the Arkansas Development Finance Authority shall determine and shall mature or be subject to mandatory sinking fund redemption over a period ending not later than thirty (30) years after the date of issue of each series;

(3) The bonds of each series shall bear interest at the rate or rates determined by the authority at the time of the sale of the bonds. The bonds may bear interest at either a fixed or a variable rate, or may be convertible from one (1) interest rate mode to another, and the interest shall be payable at such times as the authority shall determine;

(4) As determined by the authority, the bonds:

(A) Shall be issued in the form of bonds registered as to both principal and interest without coupons;

(B) May be in any denominations and made exchangeable for bonds of another form or denomination bearing the same rate of interest;

(C) May be made payable at designated places within or without the State of Arkansas;

(D) May be made subject to redemption prior to maturity in any manner and for any redemption prices; and

(E) May contain other terms and conditions;

(5) Each bond shall be executed with the original or facsimile signatures of the Governor, the Secretary of State, and the Chair of the Arkansas Development Finance Authority and shall have affixed or imprinted on the bond the Great Seal of the State of Arkansas. Delivery of the bonds so executed shall be valid, notwithstanding any change in the persons holding the offices occurring after the bonds have been executed; and

(6) The bonds shall have all the qualities of negotiable instruments under the laws of the State of Arkansas, subject to the provisions regarding registration of ownership set forth in this section or in the resolution or trust indenture authorizing the bonds.

History. Acts 2005, No. 1282, § 1.

6-62-1111. Sale of bonds.

(a) The State of Arkansas Higher Education General Obligation Bonds may be sold in the manner, either at private or public sale, and upon terms as the Arkansas Development Finance Authority shall determine to be reasonable and expedient for effectuating the purposes of this subchapter. The bonds may be sold at a price acceptable to the authority, which may include a discount or a premium.

(b) If the bonds are to be sold at public sale, the authority shall give notice of the offering of the bonds in a manner reasonably designed to notify participants in the public finance industry that the offering is being made. The authority shall set the terms and conditions of bidding, including the basis on which the winning bid will be selected.

(c) The authority may:

(1) Structure the sale of bonds utilizing financing techniques recommended by its professional advisors in order to take advantage of market conditions and may obtain the most favorable interest rates consistent with the purposes of this subchapter;

(2) Enter into ancillary agreements in connection with the sale of the bonds that are necessary and advisable, including, without limitation, bond purchase agreements, remarketing agreements, letters of credit, or reimbursement agreements; and

(3) Enter into an interest rate exchange agreement or similar agreement or contract with any person on a competitive or negotiated basis under the terms and conditions as the authority shall determine in compliance with § 15-5-317.

History. Acts 2005, No. 1282, § 1.

6-62-1112. Transfer of funds for debt service.

(a)(1) On or before the commencement of each fiscal year, the Chief Fiscal Officer of the State shall:

(A) Determine the estimated amount required for payment of all or a part of debt service on the State of Arkansas Higher Education General Obligation Bonds issued under this subchapter during the fiscal year less the amount available for the payment of debt service from estimated moneys to be available to the Arkansas Development Finance Authority from other sources, if any; and

(B) Certify the amount computed under subdivision (a)(1)(A) of this section to the Treasurer of State, who shall transfer the certified amount from the General Revenue Fund Account of the State Apportionment Fund to a trust fund established by the resolution or trust indenture authorizing the bonds as a bond or sinking fund in order to provide for payment of all or part of the debt service on the bonds issued under this subchapter.

(2) Payments shall be made into the bond or sinking fund not later than one (1) day prior to the due date for the payment of the debt service.

(b) The obligation to make periodic transfers from the General Revenue Fund Account of the State Apportionment Fund to the bond or sinking fund shall constitute a first charge against the General Revenue Fund Account prior to all other uses to which general revenues are devoted, either under present law or under any laws that may be enacted in the future. However, to the extent that other general obligation bonds of the State of Arkansas may subsequently be incurred, all general obligation bonds shall rank on a parity of security with respect to payment from the General Revenue Fund Account.

(c) The resolution or trust indenture authorizing or securing the bonds issued shall identify the funds to which moneys shall be credited and used for the purposes identified in this subchapter. For those purposes, the holder of the trust funds is designated as the disbursing officer to administer those funds in accordance with this subchapter.

(d) Moneys in the bond or sinking fund over and above the amount necessary to ensure the prompt payment of debt service on the bonds may be used for the redemption of bonds prior to maturity in the manner and in accordance with the provisions pertaining to redemption prior to maturity, as set forth in the resolution or trust indenture authorizing or securing the bonds.

History. Acts 2005, No. 1282, § 1.

6-62-1113. Sources of repayment.

(a) The State of Arkansas Higher Education General Obligation Bonds shall be direct general obligations of the State of Arkansas for the payment of the debt service on which the full faith and credit of the state are irrevocably pledged so long as any of the bonds are outstanding.

(b)(1) The bonds shall be payable from the general revenues of the state, and the amount of general revenues necessary is pledged to the payment of debt service on the bonds and shall remain pledged for those purposes.

(2) Each authorizing resolution or trust indenture may provide for a reserve, credit enhancement, bond insurance, surety bond, or liquidity facility for the bonds.

History. Acts 2005, No. 1282, § 1.

6-62-1114. Deposit and investment of proceeds.

(a) The proceeds from the sale of the State of Arkansas Higher Education General Obligation Bonds shall be deposited by the recipient, as received, into trust funds or accounts in the name of the Arkansas Development Finance Authority established pursuant to the resolution or trust indenture authorizing or securing the bonds to accomplish the purposes of this subchapter in amounts or portions as set forth in the resolution or trust indenture securing the bonds.

(b)(1) The holder of the trust funds shall establish separate accounts and subaccounts within the applicable fund to correspond to the applicable series of bonds.

(2) In addition and under the resolution or trust indenture authorizing or securing the bonds, there may be created other funds, accounts, or subaccounts as the authority may determine to be necessary or desirable to accomplish the purposes of this subchapter.

(c) All procedures and methods for application of proceeds of any series of bonds to the financing of project costs shall be developed in consultation with the Arkansas Higher Education Coordinating Board and the Chief Fiscal Officer of the State, set forth in the resolution or trust indenture authorizing or securing the bonds, and maintained as part of the records of the authority.

(d) The holder and administrator of funds, comprised in whole or in part of proceeds of bonds or disbursements from funds established

under this subchapter, shall be required by appropriate provision of the resolution or trust indenture authorizing or securing the bonds issued to assist the authority in preparing any report related to the bonds that may be required by this subchapter or other applicable federal or state law.

(e) The proceeds from the sale of the bonds and any money held in any funds created under or authorized by this subchapter may be invested and reinvested in accordance with the resolution or trust indenture authorizing or securing the bonds issued and shall be invested by or at the direction of the authority to the fullest extent practicable pending disbursement for the purposes intended in any of the following:

(1) Direct obligations of the United States, including obligations issued or held in book entry form on the books of the United States Department of the Treasury, or obligations the principal of and interest on which are unconditionally guaranteed by the United States;

(2) Bonds, debentures, notes, or other evidences of indebtedness issued or guaranteed by any United States Government agency if the obligations are backed by the full faith and credit of the United States;

(3) Non-full-faith-and-credit senior debt obligations issued or guaranteed by United States Government agencies;

(4) Money market funds investing exclusively in the investments described in subdivisions (e)(1)-(3) of this section;

(5)(A) Certificates of deposit providing for deposits secured at all times by collateral described in subdivisions (e)(1)-(3) of this section.

(B) The certificates must be issued by commercial bank deposits which are insured by the Federal Deposit Insurance Corporation and collateral of which must be held by a third party.

(C) The holder of the trust funds must have a perfected first security interest in the collateral;

(6) Certificates of deposit, savings accounts, deposit accounts, or money market deposits, all of which are fully insured by the Federal Deposit Insurance Corporation;

(7) Bonds or notes issued by this state, any municipality, county, or school district in this state or by any agency or instrumentality of this state;

(8) Investment agreements with financial institutions or insurance companies that are rated in one (1) of the two (2) highest rating categories of a nationally recognized rating agency;

(9)(A) Repurchase agreements providing for the transfer of securities from a dealer bank or securities firm to the holder of the trust funds and the transfer of cash from the holder of the trust funds to the dealer bank or securities firm with an agreement that the dealer bank or securities firm will repay the cash plus a yield to the holder of the trust funds in exchange for the securities at a specified date.

(B) Repurchase agreements shall satisfy the following criteria:

(i) Repurchase agreements must be between the holder of the trust funds and a dealer bank or securities firm described as follows:

(a) Dealers with at least one hundred million dollars (\$100,000,000) in capital; or

(b) Banks whose deposits are insured by the Federal Deposit Insurance Corporation; and

(ii) The written repurchase agreement contract must include the following:

(a) Securities that are acceptable for transfer are those listed in subdivisions (e)(1)-(3) of this section;

(b) The term of the repurchase agreement may not exceed thirty (30) calendar days;

(c) The collateral must be delivered to the holder of the trust funds, a trustee if a trustee is not supplying the collateral, or a third party acting as agent for the trustee if the trustee is supplying the collateral before or simultaneously with payment; and

(d)(1) The securities must be valued weekly, marked-to-market at current market price plus accrued interest.

(2)(A) The value of collateral must be equal to one hundred three percent (103%) of the amount of cash transferred by the holder of the trust funds to the dealer bank or security firm under the repurchase agreement plus accrued interest.

(B) If the value of securities held as collateral declines below one hundred three percent (103%) of the value of the cash transferred by the holder of the trust funds, then additional cash or acceptable securities, or both, must be transferred and held by the holder of the trust funds; and

(10) Any other investment authorized by state law.

History. Acts 2005, No. 1282, § 1.

6-62-1115. Use of bond proceeds.

(a) The proceeds of the State of Arkansas Higher Education General Obligation Bonds issued under this subchapter for nonrefunding purposes, after the funding of any necessary reserve and the costs associated with the issuance of and security for the bonds, shall only be disbursed for project costs when requisitioned by the Chair of the Arkansas Higher Education Coordinating Board or his or her designee and approved by the Chief Fiscal Officer of the State or his or her designee.

(b) The requisition under subsection (a) of this section shall certify that the funds disbursed are for the payment of project costs that are authorized to be financed under this subchapter and that have been duly approved by the board.

(c) The proceeds of the bonds issued pursuant to this subchapter for refunding purposes, after the funding of any necessary reserve and costs associated with the issuance of and security for the bonds and the defeasance of the bonds to be refunded, shall be used by the Arkansas Development Finance Authority to directly pay or establish a trust fund to serve as an escrow account for the purpose of payment or defeasance

of bonds issued under this subchapter or under the Arkansas College Savings Bond Act of 1989, § 6-62-701 et seq.

History. Acts 2005, No. 1282, § 1.

6-62-1116. Refunding bonds.

(a)(1) The Arkansas Development Finance Authority may issue bonds for the purpose of refunding bonds previously issued pursuant to this subchapter or the Arkansas College Savings Bond Act of 1989, § 6-62-701 et seq.

(2) To the extent that the refunding bonds are issued to refund State of Arkansas Higher Education General Obligation Bonds issued under this subchapter and the principal amount of the refunding bonds is not in a greater principal amount than the outstanding principal amount of the bonds being refunded, the principal amount of the refunding bonds shall not be subject to the two-hundred-fifty-million-dollar limit in § 6-62-1105.

(b) The refunding bonds shall be general obligations of the State of Arkansas, secured as set forth in this subchapter, and secured and sold in accordance with the provisions of this subchapter.

(c) The proceeds of the refunding bonds may be either applied to the payment of the bonds being refunded or deposited in trust and there maintained in cash or investments for the retirement of the bonds refunded, as shall be specified by the authority and the authorizing resolution or trust indenture. The principal amount of the bonds refunded after payment and defeasance shall not be deemed outstanding for purposes of this subchapter.

(d)(1) The authorizing resolution or trust indenture securing the refunding bonds may provide, if the bonds being refunded were issued under this subchapter, that the refunding bonds shall have the same security for their payment as provided for the bonds being refunded.

(2) Refunding bonds shall be sold and secured in accordance with the provisions of this subchapter pertaining to the sale and security of the bonds.

(3) Other than approval of the resolution or trust indenture under which refunding bonds are issued by appropriate action of the authority, no additional action or approval for the issuance of refunding bonds shall be required to be taken by the Arkansas Higher Education Coordinating Board or the Chief Fiscal Officer of the State under this subchapter or as otherwise may be provided by other law.

History. Acts 2005, No. 1282, § 1.

6-62-1117. Tax exemption.

All State of Arkansas Higher Education General Obligation Bonds issued under this subchapter and interest on the bond proceeds shall be exempt from all state taxes, including income, inheritance, and property taxes. The bonds shall be eligible to secure deposits of all public

funds and shall be legal for investment of municipal, county, bank, fiduciary, insurance company, and trust funds.

History. Acts 2005, No. 1282, § 1.

6-62-1118. Employment of professionals.

The Arkansas Development Finance Authority is authorized to retain those professionals as it deems necessary to accomplish the issuance and sale of the State of Arkansas Higher Education General Obligation Bonds, including, without limitation, legal counsel, financial advisors, underwriters, trustees, paying agents, and remarketing agents.

History. Acts 2005, No. 1282, § 1.

6-62-1119. Construction.

(a) This subchapter shall be liberally construed to accomplish its purposes. This subchapter shall constitute the sole authority necessary to accomplish the purposes of this subchapter, and the provisions of other laws pertaining to the development of technology projects and facility improvement projects and the financing shall not apply, except as specifically set forth in this subchapter.

(b) This subchapter shall supplement existing laws conferring rights and powers upon the Arkansas Development Finance Authority and the Arkansas Higher Education Coordinating Board, and the rights and powers set forth in this subchapter shall be alternative methods for the accomplishment of the purposes of this subchapter.

History. Acts 2005, No. 1282, § 1.

6-62-1120. Rights and liabilities — Enforcement.

(a) This subchapter shall constitute a contract between the State of Arkansas and the registered owners of all State of Arkansas Higher Education General Obligation Bonds issued under this subchapter that shall never be impaired. Any violation of terms of this subchapter, whether under purported legislative authority or otherwise, shall be enjoined by the courts at the suit of any bondholder or of any taxpayer.

(b) The courts in a suit against the Arkansas Development Finance Authority or the Arkansas Higher Education Coordinating Board, the Treasurer of State, or other appropriate officer or official of this state shall prevent a diversion of any revenues pledged under this subchapter and shall compel the restoration of diverted revenues by injunction or mandamus.

(c) Without limitation as to any other appropriate remedy at law or in equity, any bondholder by an appropriate action, including without limitation, injunction or mandamus, may compel the performance of all covenants and obligations of the State of Arkansas and its officers and officials under this subchapter.

History. Acts 2005, No. 1282, § 1.

6-62-1121. Rights and liabilities — Commencement.

(a) This subchapter shall not create any right of any character and no right of any character shall arise under or pursuant to this subchapter until the first series of State of Arkansas Higher Education General Obligation Bonds authorized by this subchapter shall have been sold and delivered.

(b) The issuance of bonds authorized by this subchapter shall not impair or affect any outstanding bonds of the Arkansas Development Finance Authority issued under the Arkansas College Savings Bond Act of 1989, § 6-62-701 et seq.

History. Acts 2005, No. 1282, § 1.

6-62-1122. Judicial review — Priority.

All cases involving the validity of this subchapter or any portion of this subchapter or in any way arising under this subchapter or involving the State of Arkansas Higher Education General Obligation Bonds issued under this subchapter shall be deemed of public interest and shall be advanced by all courts and heard as a preferred cause. All appeals from judgments or decrees rendered in these cases must be taken within thirty (30) days after the rendition of the judgment or decree.

History. Acts 2005, No. 1282, § 1.

CHAPTER 63

EMPLOYEES OF STATE INSTITUTIONS

SUBCHAPTER.

1. GENERAL PROVISIONS.
2. HIGHER EDUCATION EMPLOYEE CLASSIFICATION AND COMPENSATION ACT. [REPEALED.]
3. HIGHER EDUCATION EXPENDITURE RESTRICTION ACT.
4. FACULTY/ADMINISTRATOR DEVELOPMENT FELLOWS. [REPEALED.]
5. REQUIREMENT OF FACULTY INSTRUCTION IN PUBLIC SCHOOLS.
6. CATASTROPHIC LEAVE BANK PROGRAM.

RESEARCH REFERENCES

Am. Jur. 15A Am. Jur. 2d, Colleges & U., § 9 et seq. **C.J.S.** 14A C.J.S., Colleges & U., § 17 et seq.

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

6-63-101. Authority for teachers to wear religious clothing.

6-63-102. Deductions for group insurance premiums.

6-63-103. Affirmative action programs — Plans — Annual reports.

SECTION.

6-63-104. Faculty performance review.

6-63-105. Highly Qualified Professor and Teacher Act.

Effective Dates. Acts 1951, No. 37, §§ 3, 4: Feb. 2, 1951. Emergency clause provided: "Section 3. Whereas, many of the institutions of higher learning of this state have been unable to provide group insurance for the members of their staffs because of the fact that payments for same cannot be withheld by agreement with the employees, this act is necessary for the preservation of the peace, health, and safety of the people of the State of Arkansas."

"Section 4. An emergency is hereby declared to exist and this act shall be in full force and effect from and after its passage and approval."

Acts 1997, No. 112, § 40: Feb. 7, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 10 of the First Extraordinary Session of 1995 abolished the Joint Interim Committee on Education and in its place established the House Interim Committee and Senate Interim Committee on Education; that various sections of the Arkansas Code refer to the Joint Interim Committee on Education and should be corrected to refer to the House and Senate Interim Committees on Education; that this act so provides; and that this act should go into effect immediately in order to make the laws compatible as soon as possible. Therefore, an emergency is declared to exist and this act being immediately necessary for the preserva-

tion of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-63-101. Authority for teachers to wear religious clothing.

No person shall be prohibited from teaching in state institutions of higher education for the reason that the person wears the clothing of any established and recognized religion while teaching.

History. Acts 1973, No. 196, § 1; A.S.A. 1947, § 80-1261.

Publisher's Notes. Acts 1973, No. 196, § 1, is also codified as § 6-17-108.

6-63-102. Deductions for group insurance premiums.

For the purpose of payment of group insurance policy premiums, upon the execution by any teacher or other school employee of an appropriate form of authorization and delivery thereof to the fiscal officer of the state college or university wherein that person is employed, the fiscal officer shall withhold the designated amount from that person's monthly salary payments and shall transmit the amount, on or before the tenth day of each succeeding month, to the insurance company named in the authorization.

History. Acts 1949, No. 316, § 1; 1951, § 1, as amended, is also codified as § 6-No. 37, § 1; A.S.A. 1947, § 80-1324. 17-804.

Publisher's Notes. Acts 1949, No. 316,

6-63-103. Affirmative action programs — Plans — Annual reports.

(a)(1) Each state-supported institution of higher education shall prepare an affirmative action program for the recruitment of African-Americans and other members of minorities for faculty and staff positions and for enrollment as students.

(2) Affirmative action plans shall be prepared on a continuing basis for future five-year periods.

(b)(1) Each state-supported institution of higher education shall prepare annually a summary report on the steps that have been taken to reach the goals of the plan.

(2) The report shall:

(A) Include information on the progress made by each institution for the various levels of employment within the institution; and

(B) Be presented in a table format limited to no more than five (5) pages.

(c) Copies of the five-year plan and annual reports summaries of each institution of higher education shall be included in the Comprehensive Arkansas Higher Education Annual Report, filed with the Governor, the Division of Higher Education, the president and board of trustees of the institution, the board of visitors of the institution, if applicable, and the House Committee on Education and the Senate Committee on Education.

(d) In carrying out the affirmative action plans, each institution of higher education shall provide for a part-time or full-time employee to assist the institution in the recruitment of African-Americans and other members of minorities for faculty and staff positions and for enrollment as students.

History. Acts 1989, No. 99, § 1; 1997, No. 112, § 21; 2011, No. 696, § 4; 2019, No. 910, § 2002.

Amendments. The 2019 amendment substituted "Division of Higher Educa-

tion” for “Department of Higher Education” in (c).

RESEARCH REFERENCES

ALR. Evaluation of Policies Mandating or Forbidding Race-Conscious “Affirmative Action” with Respect to Admissions, Financial Aid, Classification, or Tracking

Standards for Students at Schools or Colleges After Grutter v. Bollinger and Gratz v. Bollinger. 4 A.L.R.7th Art. 6 (2015).

6-63-104. Faculty performance review.

(a) The president and chancellor of each state-supported institution of higher education in Arkansas shall work with the campus faculties to develop a framework to review faculty performance, including post-tenure review. The framework should be used to develop processes and procedures at each institution to ensure a consistently high level of performance of the faculty at Arkansas’s publicly supported institutions of higher education. The effects of the review process of faculty performance should include rewarding productive faculty, redirecting faculty efforts to improve or to increase productivity, and correcting instances of substandard performance. The framework developed by each institution shall be reported to the House Committee on Education, the Senate Committee on Education, the Joint Interim Oversight Committee on Education Reform, and the Division of Higher Education no later than December 1, 1998, and shall be implemented on the respective campuses no later than January 1, 2001.

(b) Pursuant to subsection (a) of this section, each state-supported institution of higher education in Arkansas shall conduct a rigorous, consistently applied, annual review of the performance of all full-time faculty members. This review shall include assessments by peers, students, and administrators and shall be utilized to ensure a consistently high level of performance and serve in conjunction with other appropriate information as a basis for decisions on promotion, salary increases, and job tenure. The evaluation by students and administrative staff, shall be applicable to all teaching faculty, full-time, part-time, and graduate teaching assistants and shall include an assessment of the fluency in English of the faculty member or graduate teaching assistant. This review shall not be used to demote a tenured faculty member to a nontenured status.

(c)(1) Each college and university shall continually make efforts to identify any English fluency deficiencies of the teaching faculty and shall take reasonable measures to assist deficient faculty members in becoming proficient in English; however, the responsibility of acquiring the level of English proficiency required for the faculty member’s teaching, research, or service assignments rests with the faculty member.

(2) Each college and university shall have a process for addressing concerns raised by students concerning language proficiency problems of faculty members.

(d) The division shall be responsible for monitoring the evaluation process and shall report its findings to the Arkansas Higher Education Coordinating Board and to the Legislative Council by August 1 of each year.

(e) Each state-supported institution of higher education shall require full-time faculty members of the college of education and related disciplines to work collaboratively with the accredited public schools in this state, and such faculty involvement shall be included as part of the annual review of the faculty as required by subsection (b) of this section.

History. Acts 1997, No. 1330, § 1; 1999, No. 477, § 2; 1999, No. 1360, § 1; 2019, No. 910, §§ 2003, 2004.

A.C.R.C. Notes. As amended by Acts 1999, No. 1360, subsection (a) also provided: "The framework developed by each institution shall be reported to the House and Senate Interim Committees on Education, the Joint Interim Oversight Committee on Higher Education Reform, and the State Department of Higher Education no later than December 1, 1998, and shall be implemented on the respective campuses no later than January 1, 2001."

Acts 1999, No. 477, § 2, provided: "(a) The president and chancellor of each state-supported institution of higher education in Arkansas shall work with the campus faculties to develop a framework to review faculty performance, including post tenure review. The framework should be used to develop processes and procedures at each institution to ensure a consistently high level of performance of the faculty at Arkansas' publicly supported institutions of higher education. The effects of the review process of faculty performance should include rewarding productive faculty, redirecting faculty efforts to improve or to increase productivity, and to correct instances of substandard performance. The framework developed by each institution shall be reported to the House and Senate Interim Committees on Education, the Joint Interim Oversight Committee on Higher Education Reform, and the State Department of Higher Education no later than December 1, 1998, and shall be implemented on the respective campuses no later than January 1, 2001.

"(b) Pursuant to subsection (a) of this section, each state-supported institution of higher education in Arkansas shall conduct a rigorous, consistently applied, annual review of the performance of all full-time faculty members. This review shall include assessments by peers, students, and administrators and shall be utilized to ensure a consistently high level of performance and serve in conjunction with other appropriate information as a basis for decisions on promotion, salary increases, and job retention. The evaluation by students shall be applicable to all teaching faculty, full-time, part-time and graduate teaching assistants and shall include an assessment of the fluency in English of the faculty member or graduate teaching assistant. This review shall not be used to demote a tenured faculty member to a non-tenured status.

"(c) The Department of Higher Education shall be responsible for monitoring the evaluation process and shall report its findings to the Arkansas Higher Education Coordinating Board each biennium.

"(d) Each state-supported institution of higher education shall require full-time faculty members of the college of education to work collaboratively with the accredited public schools in this state, and such faculty involvement shall be included as part of the annual review of the faculty as required by subsection (b) of this section."

Amendments. The 2019 amendment substituted "Division of Higher Education" for "Department of Higher Education" in (a); and substituted "division" for "department" in (d).

6-63-105. Highly Qualified Professor and Teacher Act.

(a) This section shall be known and may be cited as the "Highly Qualified Professor and Teacher Act".

(b) A university professor or an assistant professor may receive a teaching license issued by the State Board of Education upon performing application requirements under § 6-17-401 et seq.

(c) The State Board of Education shall promulgate rules to implement this section.

History. Acts 2021, No. 657, § 1.

SUBCHAPTER 2 — HIGHER EDUCATION EMPLOYEE CLASSIFICATION AND COMPENSATION ACT

[Repealed.]

SECTION.

6-63-201 — 6-63-216. [Repealed.]

6-63-201 — 6-63-216. [Repealed.]

Publisher's Notes. This subchapter was repealed by Acts 1989, No. 793, § 18. The subchapter was derived from the following sources:

6-63-201. Acts 1977, No. 410, § 1; A.S.A. 1947, § 80-4701.

6-63-202. Acts 1977, No. 410, § 2; A.S.A. 1947, § 80-4702.

6-63-203. Acts 1977, No. 410, § 3; 1981, No. 581, § 1; 1985, No. 832, § 1; A.S.A. 1947, § 80-4703.

6-63-204. Acts 1977, No. 410, § 7; 1979, No. 957, § 4; 1981, No. 598, § 5; 1985, No. 832, § 4; A.S.A. 1947, § 80-4707.

6-63-205. Acts 1977, No. 410, § 7; 1979, No. 957, § 4; 1981, No. 598, § 5; 1985, No. 832, § 4; A.S.A. 1947, § 80-4707.

6-63-206. Acts 1977, No. 410, § 6; 1979, No. 957, § 3; 1981, No. 598, § 4; 1985, No. 832, § 3; A.S.A. 1947, § 80-4706.

6-63-207. Acts 1977, No. 410, § 4; 1979, No. 957, § 1; 1981, No. 598, § 2; 1983, No. 896, §§ 1, 2; 1985, No. 832, § 2; A.S.A. 1947, § 80-4704.

6-63-208. Acts 1985, No. 832, § 9; A.S.A. 1947, § 80-4710.

6-63-209. Acts 1977, No. 410, §§ 3, 7; 1979, No. 957, § 4; 1981, No. 598, § 1; 1985, No. 832, §§ 1, 7; A.S.A. 1947, §§ 80-4703, 80-4707.

6-63-210. Acts 1977, No. 410, § 5; 1979, No. 957, § 2; 1981, No. 598, § 3; A.S.A. 1947, § 80-4705.

6-63-211. Acts 1977, No. 410, § 7; 1979, No. 957, § 4; 1981, No. 598, § 5; 1985, No. 832, § 7; A.S.A. 1947, § 80-4707.

6-63-212. Acts 1977, No. 410, § 7; 1979, No. 957, § 4; 1981, No. 598, § 5; 1985, No. 832, § 6; A.S.A. 1947, § 80-4707.

6-63-213. Acts 1977, No. 410, § 7; 1979, No. 957, § 4; 1981, No. 598, § 5; 1985, No. 832, § 5; A.S.A. 1947, § 80-4707.

6-63-214. Acts 1977, No. 410, § 7; 1985, No. 832, § 7; A.S.A. 1947, § 80-4707.

6-63-215. Acts 1977, No. 410, § 8; A.S.A. 1947, § 80-4708.

6-63-216. Acts 1977, No. 410, § 7; 1979, No. 957, § 4; 1981, No. 598, § 5; A.S.A. 1947, § 80-4707.

SUBCHAPTER 3 — HIGHER EDUCATION EXPENDITURE RESTRICTION ACT

SECTION.

6-63-301. Title.

6-63-302. Applicability of subchapter — Other fiscal laws not superseded.

SECTION.

6-63-303. Nine-month and part-time employees — Maximum annual salary.

6-63-304. Payroll deductions and promo-

SECTION.

- tional items.
 6-63-305. New or additional positions.
 6-63-306. Additional compensation for additional duties.
 6-63-307. Salary restrictions — Penalties.
 6-63-308. Overtime for classified positions — Limitations.
 6-63-309. Academic personnel recruitment — Exceptions to maximum salary levels — Conditions — Reports.

SECTION.

- 6-63-310. [Repealed.]
 6-63-311. Special authorization and contracts — National Center for Toxicological Research.
 6-63-312. Contingency appropriations — Transfers and reports.
 6-63-313. [Repealed.]
 6-63-314. Extra help restrictions.
 6-63-315. Adjunct and visiting professors.
 6-63-316. Reporting of salaries of administrators — Definition.

Effective Dates. Acts 1985, No. 287, § 3: Mar. 8, 1985. Emergency clause provided: "It is hereby found and determined by the General Assembly that institutions of higher education should be allowed to pay in twelve (12) monthly installments the salaries of their nine-month employees and part-time employees; that many such employees desire the twelve (12) equal monthly installments; and that until this Act becomes effective such employees will be unreasonably burdened. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1989, No. 402, § 7: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly that current State accounting and budgetary procedures cause considerable expense to and place undue restrictions on Institutions of Higher Education; that the recovery of general revenue fund balances from the Vocational Technical Schools and the State Scholarship Assistance Grants Program restrict educational opportunities for the citizens of this State; and that the provisions of this Act will remedy such situations. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1989 (3rd Ex. Sess.), No. 25, § 4: Nov. 15, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assem-

bly, meeting in Third Extraordinary Session that current State limitation on line-item maximum salaries cause considerable difficulty in recruiting and retaining exceptionally well-qualified academic personnel and place undue restrictions on Institutions of Higher Education, and these conditions restrict educational opportunities for the citizens of this State; and that the provisions of this Act will remedy such situations. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after November 15, 1989."

Acts 1989 (3rd Ex. Sess.), No. 42, § 5: Nov. 15, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, meeting in Third Extraordinary Session that current State limitation on line-item maximum salaries cause considerable difficulty in recruiting and retaining exceptionally well-qualified academic personnel and place undue restrictions on Institutions of Higher Education, and these conditions restrict educational opportunities for the citizens of this State; and that the provisions of this Act will remedy such situations. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after November 15, 1989."

Acts 1991, No. 1089, § 8: July 1, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly, that changes in various accounting and expenditure provisions of the State are necessary in order

to promote efficiency; and that the provisions of this Act provide such changes. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1991."

Acts 1993, No. 823, § 9: July 1, 1993. Emergency clause provided: "It is hereby found and determined by the Seventy-Ninth General Assembly, that changes in various accounting and expenditure provisions of the State are necessary in order to promote efficiency; and that the provisions of this Act provide such changes. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1993."

Acts 1995, No. 70, § 9: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly, that changes in various accounting and expenditure provisions of the State are necessary in order to promote efficiency; and that the provisions of this Act provide such changes. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

Acts 1995, No. 1164, § 8: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly that changes in various accounting and expenditure provisions of the State are necessary in order to promote efficiency; and the provisions of this Act provide such changes. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

Acts 1999, No. 664, § 4: Mar. 17, 1999. Emergency clause provided: "It is hereby found and determined by the Eighty-second General Assembly of the State of Arkansas that increases and clarification of new or additional positions at the various institutions of higher education are needed for the efficient and effective operations of the institutions. Therefore, an

emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2001, No. 739, § 4: July 1, 2001. Emergency clause provided: "It is found and determined by the General Assembly that various changes in law are needed for the institutions of higher education including the authorization of additional positions due to additional funds received other than general revenue for various programs and additional vehicles to maintain efficient operations of campuses. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on July 1, 2001."

Acts 2003, No. 1460, § 2: July 1, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that various changes in law are needed for the institutions of higher education including the authorization of additional positions due to additional funds received other than general revenue for various programs. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003."

Acts 2003 (1st Ex. Sess.), No. 30, § 37: July 1, 2003. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2003 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2003 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an

emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2003."

Acts 2005, No. 2123, § 38: July 1, 2005. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2005 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2005 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2005."

Acts 2005, No. 2124, § 36: July 1, 2005. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2005 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2005 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2005."

Acts 2005, No. 2200, § 2: July 1, 2005. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas, that various changes in law are needed for the institutions of higher education including the authorization of additional positions due to additional funds received other than general revenue for various programs. Therefore, an emergency is hereby declared to exist and this Act being neces-

sary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2005."

Acts 2007, No. 620, § 2: July 1, 2007. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that institutions of higher education may receive additional revenue from sources other than general revenue; that revisions to the number of provisional positions may be necessary to serve the students enrolled for the 2007-2008 and 2008-2009 academic years; that this act is immediately necessary to prevent unnecessary delay in the education of students. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2007."

Acts 2007, No. 1229, § 45: July 1, 2007. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2007 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2007 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2007."

Acts 2007, No. 1255, § 42: July 1, 2007. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2007 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2007 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an

emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2007."

Acts 2009, No. 245, § 2: July 1, 2009. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that institutions of higher education may receive additional revenue from sources other than general revenue; that revisions to the number of provisional positions may be necessary to serve the students enrolled for the 2009-2010 and 2010-2011 academic years; that expedited implementation of this act is necessary so that the affected institutions of higher education can properly prepare for the upcoming academic year; that the failure to implement this act by July 1, 2009, will cause irreparable harm to the education of the students enrolled for the 2009-2010 academic year. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2009."

Acts 2009, No. 688, § 15: July 1, 2009. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the fiscal year for employees begins on July 1 of every year and that the implementation of the Uniform Classification and Compensation Act is immediately necessary to ensure the continued services and operations of the state. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2009."

Acts 2015, No. 1273, § 4: Apr. 8, 2015. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that institutions of higher education may receive revenue from sources other than general revenue; that revisions to the number of provisional positions may be necessary to serve the students enrolled for the 2014-2015 and 2015-2016 academic years; and that this act is immediately necessary to prevent the unnecessary delay in 'meeting the educational needs' of students. Therefore, an emergency is declared to exist, and this act being immediately necessary

for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2016, No. 140, § 17: July 1, 2016. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2016 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2016 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2016."

Acts 2016, No. 141, § 15: July 1, 2016. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2016 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2016 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2016."

Acts 2017, No. 178, § 11: July 1, 2017. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period;

that the effectiveness of this Act on July 1, 2017 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2017 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2017.”

Acts 2017, No. 179, § 13: July 1, 2017. Emergency clause provided: “It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2017 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2017 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2017.”

Acts 2017, No. 365, § 29: July 1, 2017. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the fiscal year for employees begins on July 1 of every year and that the implementation of the Uniform Classification and Compensation Act is necessary to ensure the continued services and operations of the state. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2017.”

Acts 2017, No. 599, § 5: July 1, 2017. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the fiscal year for employees of institutions of higher education begins annually on July 1; and that the implementation of the

Higher Education Uniform Classification and Compensation Act is necessary to ensure the continued services and operations of the state. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2017.”

Acts 2019, No. 204, § 5: July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the name change proposed under this act is to enable students interested in the Texarkana campus of the community college to have their ACT testing information sent directly to Texarkana and not to the Hope campus of the community college or to an institution in Texas; that there is confusion regarding where a student should send his or her ACT scores because Texarkana is not currently part of the campus’s formal name; and that this act is necessary in order to change the name of the community college in time for the next fiscal year. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

Acts 2019, No. 710, § 3: July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that changes in law are needed for the state-supported institutions of higher education, including the authorization of additional provisional positions, to maintain efficient operations of campuses. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled ‘Funding and classification of cabinet-level department secretaries’ and ‘Transformation and

Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

Acts 2020, No. 129, § 11: July 1, 2020. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2020 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of

this Act beyond July 1, 2020 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2020."

Acts 2021, No. 289, § 4: July 1, 2021. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that changes in the law are needed for certain state-supported institutions of higher education, including the authorization of additional provisional positions, to maintain efficient operations of campuses. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2021."

6-63-301. Title.

This subchapter shall be cited and referred to as the "Higher Education Expenditure Restriction Act".

History. Acts 1983, No. 147, § 1; A.S.A. 1947, § 80-5601.

6-63-302. Applicability of subchapter — Other fiscal laws not superseded.

The provisions of this subchapter shall be applicable to all publicly supported institutions of higher education in this state and shall not supersede the provisions of the General Accounting and Budgetary Procedures Law, § 19-4-101 et seq., the Uniform Classification and Compensation Act, § 21-5-201 et seq., the Arkansas Procurement Law, § 19-11-201 et seq., or other fiscal control laws of this state, and their successors.

History. Acts 1983, No. 147, § 2; A.S.A. 1947, § 80-5602.

6-63-303. Nine-month and part-time employees — Maximum annual salary.

(a)(1) The maximum annual salary established for any position established as a nine-month educational and general academic position in the regular salaries section of the biennial operations appropriation act of any institution of higher education is declared to be the maximum annual salary for a nine-month contract, at a rate of pay not to exceed

one-ninth (1/9) of the maximum authorized salary during any one (1) month.

(2) The employee's contract or subsequent contract may exceed nine (9) months, and the maximum annual salary authorized for such position may be exceeded by not more than one-ninth (1/9) of the maximum annual salary for each additional month or part thereof contracted.

(3) However, when a faculty member is assigned overload teaching responsibilities, as defined by the Arkansas Higher Education Coordinating Board, an amount in excess of one-ninth (1/9) of the maximum annual salary may be paid during any one (1) month if the applicable maximum authorized salary is not exceeded by more than ten percent (10%).

(b) For those positions identified as part-time in the biennial appropriations act for operations of any institution of higher education, payment may be made in one (1) or more payments each semester or term with the total of all payments made during a fiscal year not to exceed the applicable maximum authorized salary.

(c)(1) Any institution of higher education may, at the option of its board of trustees, enter into contracts for the hiring of nine-month and part-time employees to provide payment of annual salaries on the basis of twelve (12) equal monthly installments.

(2) In no case shall the monthly installments under such contracts commence earlier than the first day of the month in which the employee begins work.

History. Acts 1983, No. 147, § 5; 1985, No. 287, § 1; 1985, No. 845, § 3; A.S.A. 1947, §§ 80-5605, 80-5605.1.

6-63-304. Payroll deductions and promotional items.

(a)(1)(A) The governing board for each institution of higher education may permit deductions from the payrolls of the institution's employees for contributions to the various institutional fundraising, foundations, and capital campaigns of the institutions and its entities when authorized by such employees.

(B) Provided further, that the contributions shall be strictly voluntary and in no instance shall the institutions coerce or intimidate their employees to make such contributions.

(2)(A) In addition to other payroll deductions authorized by law, the governing board for each institution of higher education may permit deductions from the payrolls of the institution's employees for tuition, fees, or such other items as the governing board shall approve.

(B) No such deduction shall be allowed unless authorized in writing by the employee.

(b) The Chief Fiscal Officer of the State shall establish for each requesting postsecondary educational institution a special appropriation line item to be used in the acquisition of promotional items. When

an institution wishes to transfer moneys from its operating expenses appropriation to the promotional items line, the board of trustees shall approve the request and forward it to the Chief Fiscal Officer of the State for processing.

History. Acts 1993, No. 823, § 1; 1995, No. 1164, § 2. repealed by Acts 1987, No. 646, § 5. The former section was derived from Acts

Publisher's Notes. Former § 6-63-304, concerning graduate assistants, was 1983, No. 147, § 9; A.S.A. 1947, § 80-5609.

6-63-305. New or additional positions.

(a)(1) In the event that additional federal funds, grants, gifts, or collections become available that were not authorized or contemplated at the time of the passage of the fiscal year appropriation act for operations for each institution enumerated in subsection (b) of this section, that such new funds make it possible for the recipient institution to engage in educational projects that would be of benefit to the State of Arkansas, and that such projects would make it necessary to employ additional personnel, the president of the recipient institution may establish the positions if:

(A) A request for a specific nonclassified position, title, and salary has been requested by the institution of higher education, approved by the institution's board of trustees, recommended by the Division of Higher Education, and reported to the Legislative Council; or

(B) A request for a specific classified position will be assigned only after a specific position, class title, and grade are requested by the institution of higher education, approved by the institution's board, recommended by the division and reported to the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee; and

(C) The salary rates for these positions do not exceed the highest maximum annual salary rate or the highest grade for any position authorized in the regular salary section of the requesting institution's appropriation act for operations, under the Higher Education Uniform Classification and Compensation Act, § 21-5-1401 et seq.

(2) The number of additional positions shall not exceed the maximum number of positions authorized for the institution in the appropriation act for operations.

(3) The source of funding for the additional positions established under this subsection shall be reported to the division and the Legislative Council by the institution at the time of the request.

(4) Determining the number of persons to be employed by an institution of higher education is the prerogative of the General Assembly and is usually accomplished by delineating the maximum number of persons by identifying the job titles and the maximum grades or salaries attached to them. The General Assembly has determined that the institutions of higher education could be operated more efficiently if some flexibility were given to the institutions. That

flexibility is being accomplished by providing new or additional positions in subsection (b) of this section, and since the General Assembly has granted the institutions broad powers under the new or additional position concept, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the new or additional positions by requiring prior approval of the Legislative Council in the utilization of the new or additional positions. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

(b) The following maximum number of new additional positions is established for the biennium for the following institutions of higher education at salary rates not to exceed the salary rate or the highest grade level position of comparable positions established in the regular salaries section of the appropriations act for operations for each institution:

Institution	Maximum Number of Additional Positions
(1) Arkansas State University-Jonesboro	375
(2) Arkansas State University-Mountain Home	40
(3) Arkansas State University-Beebe	100
(4) Arkansas State University-Newport	60
(5) Arkansas Tech University	65
(6) Black River Technical College	44
(7) Cossatot Community College of the University of Arkansas	105
(8) East Arkansas Community College	40
(9) National Park College	40
(10) Henderson State University	60
(11) Arkansas State University Mid-South	75
(12) Arkansas Northeastern College	70
(13) North Arkansas College	70
(14) Northwest Arkansas Community College	80
(15) Arkansas State University Three Rivers	40
(16) Ozarka College	46
(17) University of Arkansas Community College at Morrilton	40
(18) Phillips Community College of the University of Arkansas	40
(19) University of Arkansas — Pulaski Technical College	80

(20) University of Arkansas Community College at Rich Mountain	40
(21) South Arkansas Community College	50
(22) Southeast Arkansas College	60
(23) Southern Arkansas University	70
(24) SAU-Tech	40
(25) University of Arkansas at Fayetteville	750
(26) University of Arkansas — Agricultural Experiment Station	250
(27) University of Arkansas Cooperative Extension Service	250
(28) University of Arkansas — Arkansas Archeological Survey	150
(29) University of Arkansas — Criminal Justice Institute	250
(30) University of Arkansas at Little Rock	300
(31) University of Arkansas for Medical Sciences	1,000
(32) University of Arkansas at Monticello	100
(33) University of Arkansas at Pine Bluff	150
(34) University of Arkansas Community College at Batesville	40
(35) University of Arkansas Community College at Hope-Texarkana	40
(36) University of Central Arkansas	300
(37) University of Arkansas at Fort Smith	40
(38) University of Arkansas — Arkansas School for Mathematics, Sciences, and the Arts	60
(39) University of Arkansas — Clinton School of Public Service	75
(40) University of Arkansas system	60

(c) The positions established under this subchapter shall expire at the end of the fiscal year in which they are established.

(d) Each institution shall include in its annual budget request presented to the Legislative Council a request to continue any position authorized under this subchapter.

History. Acts 1983, No. 147, § 4; 1985, No. 845, § 1; A.S.A. 1947, § 80-5604; Acts 1989, No. 36, § 1; 1991, No. 1089, § 1; 1993, No. 823, § 2; 1995, No. 70, § 1; 1995, No. 1164, §§ 1, 3; 1999, No. 664, § 1; 2001, No. 739, § 1; 2003, No. 1460, § 1; 2003 (1st Ex. Sess.), No. 30, § 33; 2005, No. 2123, § 34; 2005, No. 2200, § 1; 2007, No. 620, § 1; 2007, No. 1255, § 38; 2009, No. 245, § 1; 2009, No. 688, § 1; 2009, No. 1334, § 37; 2015, No. 1273, §§ 1-3; 2016, No. 140, § 9; 2016, No. 141, § 9; 2017, No. 178, § 5; 2017, No. 179, § 7; 2017, No. 599, § 1; 2019, No. 204, § 1; 2019, No. 710, §§ 1, 2; 2019, No. 910, §§ 2005, 2006; 2020, No. 129, § 8; 2021, No. 289, §§ 1-3.

Amendments. The 2017 amendment

by No. 178 inserted "University of Arkansas" in (b)(19).

The 2017 amendment by No. 179 substituted "University of Arkansas Community College at Rich Mountain" for "Rich Mountain Community College" in (b)(20).

The 2017 amendment by No. 599, rewrote (a)(1)(B); in (a)(1)(C) deleted "level" following "grade", and substituted "the Higher Education Uniform Classification and Compensation Act, § 21-5-1401 et seq." for "Uniform Classification and Compensation Act, § 21-5-201 et seq., or its successor"; in (a)(3), inserted "the additional" and substituted "department" for "office"; and substituted "an institution of higher education" for "a state agency" in (a)(4).

The 2019 amendment by No. 204 substituted "University of Arkansas Community College at Hope-Texarkana" for "University of Arkansas Community College at Hope" in (b)(35).

The 2019 amendment by No. 710 substituted "325" for "300" in (b)(1) and "70" for "60" in (b)(23).

The 2019 amendment by No. 910 substituted "Division of Higher Education" for "Department of Higher Education" in (a)(1)(A); and substituted "division" for "department" in (a)(1)(B) and (a)(3).

The 2020 amendment rewrote (b)(15).

The 2021 amendment substituted "375" for "325" in (b)(1); substituted "150" for "130" in (b)(33); and substituted "60" for "50" in (b)(40).

6-63-306. Additional compensation for additional duties.

The state-supported institutions of higher education may pay additional compensation to classified employees for the performance of additional duties assigned to them at non-job-related institution-sanctioned events, provided that those additional duties are performed at times other than normal working hours.

History. Acts 1983, No. 147, § 11; A.S.A. 1947, § 80-5611.

6-63-307. Salary restrictions — Penalties.

(a) An employee drawing a salary or other form of compensation from an institution of higher education shall not be paid an additional salary or receive additional compensation other than reimbursement for actual expenses from that institution or from any other agency or institution of higher education except upon written certification to and approval by the Director of the Division of Higher Education and by the head of each agency or institution that the work performed by the employee for the other agency or institution of higher education does not interfere with the proper and required performance of the employee's primary duties and that the combined salary payments from both agencies or institutions of higher education will not exceed the larger maximum annual salary of the line item position authorized for either agency from which the employee is to be paid.

(b) Any employee knowingly violating the provisions of this section shall be subject to immediate termination and shall be barred from employment by any agency or institution of the State of Arkansas for a period of not less than three (3) years or until the employee shall repay to the state any sums received by the employee in violation of this section, together with interest at a rate of ten percent (10%) per annum.

(c) Any compensation received by an employee for participation in a noncredit seminar, conference, or convention sponsored by an institu-

tion of higher education that is paid from funds generated by the seminar, conference, or convention shall be excluded from the maximum salary restrictions provided for in § 6-63-303 and the salary restrictions provided for in this section.

History. Acts 1983, No. 147, § 7; A.S.A. 1947, § 80-5607; Acts 1989 (3rd Ex. Sess.), No. 42, § 2; 2001, No. 1191, § 1; 2017, No. 365, § 1; 2019, No. 910, § 2007.

Publisher's Notes. Acts 1989 (3rd Ex. Sess.), No. 42, § 3, provided: "It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for which this Act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or

summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption."

Amendments. The 2017 amendment, in (a), substituted "An employee" for "No employee", "shall not" for "shall", and "Director of the Department of Higher Education" for "Chief Fiscal Officer of the State".

The 2019 amendment substituted "Division of Higher Education" for "Department of Higher Education" in (a).

Cross References. Salary restrictions for persons working for more than one state agency or institution, § 19-4-1604.

6-63-308. Overtime for classified positions — Limitations.

(a) The institutions of higher education are authorized to pay overtime, in critical circumstances, to those employees occupying the positions enumerated in their biennial operations appropriation acts under the heading "classified positions".

(b)(1) In no event, however, shall the total of all overtime payments for any institution except the University of Arkansas for Medical Sciences, also known as UAMS, exceed in any one (1) fiscal year an amount equal to two percent (2%) of the expenditures in the immediately preceding fiscal year for regular salaries for such institution.

(2) The total of all overtime payments for UAMS shall not exceed in any one (1) fiscal year, an amount equal to three percent (3%) of the expenditures of UAMS in the immediately preceding fiscal year for regular salaries.

History. Acts 1983, No. 147, § 3; A.S.A. 1947, § 80-5603.

Cross References. Overtime pay for state employees, § 19-4-1612.

6-63-309. Academic personnel recruitment — Exceptions to maximum salary levels — Conditions — Reports.

(a) In order that exceptionally well-qualified academic personnel may be recruited and retained, each state-supported institution of higher education may exceed the maximum salary levels by no more than twenty-five percent (25%) for no more than ten percent (10%) of the positions authorized in its biennial operations appropriation act as president, chancellor, academic dean, division head or chair, department chair, distinguished professor, university professor, professor, associate professor, assistant professor, instructor, extension specialist

IV, extension specialist III, extension specialist II, extension specialist I, county extension agent-chairman II, or county extension agent-chairman I.

(b) Within the ten percent (10%) limitation provided herein, the University of Arkansas for Medical Sciences may include no more than one (1) area health education center executive director, six (6) area health education center area directors, six (6) family practice coordinators, six (6) associate family practice coordinators, and six (6) assistant family practice coordinators.

(c) In order that exceptionally well-qualified nonacademic, nonclassified personnel may be recruited and retained, each state-supported institution of higher education may exceed the maximum salary levels by no more than twenty-five percent (25%) for no more than six percent (6%) of the positions authorized in its biennial operations appropriation act for nonacademic, nonclassified personnel, provided that amounts paid in excess of the maximum salary levels for the personnel shall not exceed two and six-tenths percent (2.6%) of the aggregate appropriated for the personnel costs during the preceding fiscal year for the institution.

(d) Subsection (c) of this section shall not apply to athletic directors and coaches.

History. Acts 1983, No. 147, § 10; A.S.A. 1947, § 80-5610; Acts 1989, No. 402, § 2; 1989 (3rd Ex. Sess.), No. 25, § 1; 1989 (3rd Ex. Sess.), No. 42, § 1; 1991, No. 1089, § 2; 1995, No. 70, § 2; 2001, No. 1404, § 1.

Publisher's Notes. Acts 1989, No. 402, § 5, provided: "It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for which this Act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official

minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption."

Acts 1989 (3rd Ex. Sess.), No. 25, § 3, and No. 42, § 3, provided: "It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for which this Act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption."

6-63-310. [Repealed.]

Publisher's Notes. This section, concerning reorganization and consolidation of administrative functions and authorized transfers, was repealed by Acts

2007, No. 1229, § 15. The section was derived from Acts 1983, No. 147, § 15, as added by Acts 1985, No. 845, § 2; A.S.A. 1947, § 80-5615.

6-63-311. Special authorization and contracts — National Center for Toxicological Research.

(a) The Board of Trustees of the University of Arkansas and the Board of Trustees of the Arkansas State University system, after seeking the advice of the Legislative Council, may make a special allowance available, in such amounts as the boards may determine are justified and equitable in view of the complexities of the duties and in consideration of the competence of individual scientists, as part of the compensation of scientists employed by the University of Arkansas or Arkansas State University in connection with any contract entered into between the University of Arkansas or Arkansas State University and the United States Government or any of its departments or agencies for conducting research and educational programs connected with the National Center for Toxicological Research at Pine Bluff, if:

(1) All of the compensation is paid from funds received by the University of Arkansas or Arkansas State University under terms of the contract;

(2)(A) The special allowance for any scientist and related personnel employed by the University of Arkansas for Medical Sciences shall not exceed an amount equal to one and one-half (1½) that portion of his or her salary which could be paid from state funds if he or she were employed in a similar position, but unrelated to the National Center for Toxicological Research at Pine Bluff.

(B) The special allowance for any scientist and related personnel employed by the other participating institutions shall not exceed an amount equal to that portion of his or her salary which could be paid from state funds if he or she were employed in a similar position, but unrelated to the National Center for Toxicological Research at Pine Bluff; and

(3) The Division of Higher Education will be notified of when and in what amount the special allowance will be paid prior to activation of the special allowance.

(b) In no event shall the Board of Trustees of the University of Arkansas or the Board of Trustees of the Arkansas State University system authorize or make special allowances, as provided for in this section, for more than twenty-five (25) scientist positions for the University of Arkansas for Medical Sciences nor more than ten (10) scientist positions for each of the other participating institutions.

(c) Furthermore, the gross salaries to be received by each of the scientists referred to above shall be limited to a maximum of seventy-three thousand four hundred sixty dollars (\$73,460) from all sources for each fiscal year of the biennium.

History. Acts 1983, No. 147, § 13; 1985, No. 845, § 2; A.S.A. 1947, § 80-5613; Acts 2019, No. 910, § 2008.

Amendments. The 2019 amendment

substituted "Division of Higher Education" for "Department of Higher Education" in (a)(3).

6-63-312. Contingency appropriations — Transfers and reports.

(a) Upon approval by the Division of Higher Education and the Chief Fiscal Officer of the State, institutions of higher education may transfer appropriation from the cash contingency appropriation to any other appropriation made to the institution from cash funds and institutions may transfer appropriation from the contingency appropriation made payable from each institution's State Treasury fund to the state operations appropriation made payable from each institution's State Treasury fund.

(b) The division shall report monthly to the Legislative Council these appropriation transfers, and the report shall include, by institution, the amounts transferred, the reasons therefor, and the source of the funds.

History. Acts 1983, No. 147, § 8; A.S.A. 1947, § 80-5608; Acts 2005, No. 2124, § 31; 2019, No. 910, § 2009.

Amendments. The 2019 amendment

substituted "Division of Higher Education" for "Department of Higher Education" in (a); and substituted "division" for "department" in (b).

6-63-313. [Repealed.]

Publisher's Notes. This section, concerning reporting requirements, was repealed by Acts 1999, No. 476, § 1. The

section was derived from Acts 1983, No. 147, § 6; A.S.A. 1947, § 80-5606.

6-63-314. Extra help restrictions.

No employee of an institution of higher education who is employed as extra help may be employed for a period of time to exceed one thousand five hundred (1,500) hours per fiscal year.

History. Acts 1991, No. 1089, § 3; 2005, No. 251, § 1.

6-63-315. Adjunct and visiting professors.

Institutions of higher education shall be exempt from the provisions of § 19-4-1707 [repealed] to the extent that they shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the institution of higher education does not exceed twenty-five percent (25%) of that required for a full-time employee.

History. Acts 1991, No. 1089, § 3.

6-63-316. Reporting of salaries of administrators — Definition.

(a) As used in this section, "administrator" means an employee included as executive, administrative, or managerial on the IPEDS/EEO-6 reports.

(b)(1) A state-supported institution of higher education shall submit a report listing each administrator at the state-supported institution of higher education who earns a salary of one hundred thousand dollars (\$100,000) or more to the Arkansas Higher Education Coordinating Board and the Division of Higher Education by July 1 each year, beginning July 1, 2010.

(2) The report shall be posted on the division website no later than July 15 each year, beginning July 15, 2010.

(c) The report shall include:

(1) Each administrator's:

- (A) Name;
- (B) Position;
- (C) Salary;
- (D) Retirement matching;
- (E) Health insurance matching;
- (F) Life insurance matching; and
- (G) Social Security matching;

(2) All special contract provisions for each administrator such as:

- (A) A house provided or a housing allowance;
- (B) A vehicle provided or a vehicle allowance;
- (C) Deferred compensations; or
- (D) Other fringe benefits not provided all employees;

(3) The total value of each administrator's compensation package; and

(4) The funding source for each benefit in an administrator's compensation package.

History. Acts 2009, No. 321, § 1; 2019, No. 910, § 2010.

Amendments. The 2019 amendment substituted "Division of Higher Educa-

tion" for "Department of Higher Education" in (b)(1); and substituted "division" for "department" in (b)(2).

SUBCHAPTER 4 — FACULTY/ADMINISTRATOR DEVELOPMENT FELLOWS

[Repealed.]

SECTION.

6-63-401 — 6-63-415. [Repealed.]

6-63-401 — 6-63-415. [Repealed.]

Publisher's Notes. This subchapter was repealed by Acts 2009, No. 1219, § 1. The subchapter was derived from the following sources:

6-63-401. Acts 1985, No. 229, § 1; A.S.A. 1947, § 80-4711.

6-63-402. Acts 1985, No. 229, § 2; A.S.A. 1947, § 80-4712.

6-63-403. Acts 1985, No. 229, § 6; A.S.A. 1947, § 80-4716.

6-63-404. Acts 1985, No. 229, § 5; A.S.A. 1947, § 80-4715.

6-63-405. Acts 1985, No. 229, § 5; A.S.A. 1947, § 80-4715; Acts 1993, No. 414, § 1.

6-63-406. Acts 1985, No. 229, § 5; A.S.A. 1947, § 80-4715.

6-63-407. Acts 1985, No. 229, § 2; A.S.A. 1947, § 80-4712.

6-63-408. Acts 1985, No. 229, § 3;

A.S.A. 1947, § 80-4713.

6-63-409. Acts 1985, No. 229, § 4;

A.S.A. 1947, § 80-4714.

6-63-410. Acts 1985, No. 229, § 5;

A.S.A. 1947, § 80-4715.

6-63-411. Acts 1985, No. 229, § 5; A.S.A. 1947, § 80-4715.

6-63-412. Acts 1985, No. 229, § 5;

A.S.A. 1947, § 80-4715.

6-63-413. Acts 1985, No. 229, § 5;

A.S.A. 1947, § 80-4715.

6-63-414. Acts 1985, No. 229, § 5;

A.S.A. 1947, § 80-4715.

6-63-415. Acts 1985, No. 229, § 5;

A.S.A. 1947, § 80-4715.

SUBCHAPTER 5 — REQUIREMENT OF FACULTY INSTRUCTION IN PUBLIC SCHOOLS

SECTION.

6-63-501. [Repealed.]

6-63-502. Participation in Education Faculty Involvement Program — Eligibility.

6-63-501. [Repealed.]

Publisher's Notes. This section, concerning the purpose, review, and report of the faculty involvement program, was repealed by Acts 1999, No. 477, § 3. The

section was derived from Acts 1991, No. 981, § 1; 1997, No. 112, § 22.

For present law, see § 6-63-104.

6-63-502. Participation in Education Faculty Involvement Program — Eligibility.

(a) All public school districts shall assist through participation in the Education Faculty Involvement Program when requested.

(b)(1) Any certified person employed by a school district who has credentials acceptable to a publicly supported institution of higher education may serve as adjunct clinical faculty at the institution so long as the national accreditation of the institution is not jeopardized.

(2) Exemplary teachers may be selected by the school and college faculty as adjunct clinical faculty in the colleges of education upon approval of the school district.

(3) Teachers with experience in restructuring schools and outstanding teachers in mathematics and science shall be given special consideration for placement as adjunct clinical faculty by the school and college faculty.

History. Acts 1991, No. 981, § 2.

SUBCHAPTER 6 — CATASTROPHIC LEAVE BANK PROGRAM

SECTION.

6-63-601. Definitions.

6-63-602. Administration.

Effective Dates. Acts 1999, No. 1176, § 8; Apr. 7, 1999. Emergency clause pro-

vided: "It is hereby found and determined by the Eighty-second General Assembly

that under the current law relating to the catastrophic leave program for state agency employees and for full-time employees of state institutions of higher education, catastrophic illness is defined as a medical condition of an employee only and does not include medical conditions of members of the employee's immediate family; that many times it is necessary that an employee miss work to care for a seriously ill member of the employee's immediate family; that if the employee has exhausted his or her accrued annual and sick leave and is not permitted to benefit from the catastrophic leave program he or she may suffer a substantial loss of income and serious hardship; that this act is designed to expand the term 'catastrophic illness' as used in the law which establishes the catastrophic leave bank program to include catastrophic illness of a spouse or parent of an employee or of a child of the employee which may be claimed as a dependent under the Arkansas Income Tax Act of 1929 and should be given effect immediately to avoid serious hardship to certain employees of state agencies and of state-supported institutions of higher education. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of

its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-63-601. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Catastrophic illness" means a medical condition, as certified by a physician, of an employee or of the spouse or parent of the employee or of a child of the employee who may be claimed as a dependent under the Income Tax Act of 1929, § 26-51-101 et seq., which requires an employee's absence from duty for a prolonged period of time and which, except for the catastrophic leave program, would result in a substantial loss of income to the employee because of the exhaustion of all earned sick and annual leave;

(2) "Catastrophic leave" means leave granted to an employee as a result of a catastrophic illness, upon the employee's exhausting of all sick and annual leave;

(3) "Catastrophic leave bank" means a pool of accrued annual leave donated by employees; and

(4) "Employees" means nonfaculty nonclassified personnel employed by a state institution of higher education.

History. Acts 1993, No. 441, § 1; 1999, No. 1176, § 1.

6-63-602. Administration.

(a)(1) The Department of Transformation and Shared Services shall have administrative responsibility for developing, implementing, and maintaining a catastrophic leave bank program for nonfaculty benefits-eligible, full-time employees of the state institutions of higher education.

(2) Each state institution of higher education may participate in the catastrophic leave bank authorized by this section and administered by the Office of Personnel Management, or the institution may establish a catastrophic leave bank for its employees.

(b) Accrued annual leave and sick leave of employees may be donated to a catastrophic leave bank.

(c) Catastrophic leave with pay may be granted to an employee when such employee is unable to perform his or her duties due to a catastrophic illness.

(d) An employee may be eligible for catastrophic leave when:

(1) The employee has been employed by the state institution of higher education for more than two (2) years;

(2) An acceptable medical certificate from a physician supporting the continued absence is on file; and

(3) The employee has not been disciplined for any leave abuse during the past two (2) years.

(e) If the illness or injury is that of an employee and is covered by workers' compensation, the compensation based on catastrophic leave when combined with the weekly workers' compensation benefit received by the employee shall not exceed the compensation being received by the employee at the onset of the illness or injury.

(f) The Secretary of the Department of Transformation and Shared Services or his or her designee shall promulgate necessary rules as deemed necessary to carry out the provisions of this section.

(g) Nothing in this subchapter shall be construed to repeal in any way the exclusion of nonclassified employees of state-supported institutions of higher education under the Uniform Attendance and Leave Policy Act, § 21-4-201 et seq.

History. Acts 1993, No. 441, § 2; 1999, No. 1176, § 2; 2019, No. 315, § 380; 2019, No. 910, §§ 6058, 6059.

Amendments. The 2019 amendment by No. 315 deleted "and regulations" following "rules" in (f).

The 2019 amendment by No. 910 substituted "Department of Transformation and Shared Services" for "Department of

Finance and Administration" in (a)(1); deleted "of the Division of Management Services of the Department of Finance and Administration" following "Office of Personnel Management" in (a)(2); and substituted "Secretary of the Department of Transformation and Shared Services" for "Director of the Department of Finance and Administration" in (f).

CHAPTER 64
UNIVERSITY OF ARKANSAS

SUBCHAPTER.

- 1. GENERAL PROVISIONS.
- 2. BOARD OF TRUSTEES.
- 3. CAMPUSES ESTABLISHED.
- 4. MEDICAL DEPARTMENT GENERALLY.
- 5. STATE MEDICAL CENTER — ADMISSION OF PATIENTS.
- 6. SCHOOL OF LAW.
- 7. DIVISION OF AGRICULTURE OF THE UNIVERSITY OF ARKANSAS.
- 8. GRADUATE INSTITUTE OF TECHNOLOGY.
- 9. CENTER FOR RESEARCH, EDUCATION AND TECHNICAL EXTENSION, AND GRADUATE EDUCATION.
- 10. FINANCES.
- 11. COLLEGE OF INFORMATION SCIENCE AND SYSTEMS ENGINEERING.
- 12. TRAINING OF LAW ENFORCEMENT OFFICIALS AND JAIL PERSONNEL. [REPEALED.]

Publisher's Notes. Acts 1899, No. 155, § 4, p. 282, changed the name of the Arkansas Industrial University to the University of Arkansas.

Cross References. Ethics and conflicts of interest, § 21-8-101 et seq.

CASE NOTES

Immunity From Suit.

As an instrumentality of the State of Arkansas, the University of Arkansas and its officials are entitled to Eleventh Amendment immunity from damage claims brought under 42 U.S.C. § 1983.

Assaad-Faltas v. University of Ark. for Medical Sciences, 708 F. Supp. 1026 (E.D. Ark. 1989), aff'd without op., 902 F.2d 1572 (8th Cir.), cert. denied, 498 U.S. 905, 111 S. Ct. 271, 112 L. Ed. 2d 227 (1990).

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

- 6-64-101. Courses of study.
- 6-64-102. [Repealed.]
- 6-64-103. Marketing News Reporting Program.
- 6-64-104. Radio broadcasts of football and basketball games.
- 6-64-105. [Repealed.]
- 6-64-106. Division of Agriculture — Service on boards or commissions.

SECTION.

- 6-64-107, 6-64-108. [Repealed.]
- 6-64-109. Housing allowance for chaplain.
- 6-64-110. Housing allowance.
- 6-64-111. [Repealed.]
- 6-64-112. [Repealed.]

A.C.R.C. Notes. Acts 1991, No. 849, § 13, provided: "The University of Arkansas shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent

that the University of Arkansas shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting ser-

vices to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the University of Arkansas does not exceed 25% of that required for a full-time employee."

Preambles. Acts 1977, No. 76 contained a preamble which read: "Whereas, Act 454 of 1973 charged the Livestock Marketing Division of the Arkansas Livestock and Poultry Commission with the responsibility of administering the Market News Reporting Service and authorized the Commission to establish a Market News Reporting Program in cooperation with the U.S. Department of Agriculture; and

"Whereas, the Market News Reporting Service is primarily an informational and educational service and is a service which could more appropriately be maintained by the University of Arkansas Cooperative Extension Service;

"Now, therefore"

Effective Dates. Acts 1887, No. 95, § 17: effective on passage.

Acts 1891, No. 83, § 6: effective on passage.

Acts 1977, No. 76, § 4: Jan. 31, 1977. Emergency clause provided: "It is hereby found and determined by the General Assembly that the Market News Reporting Service which is currently being administered under the Livestock Marketing Division of the Arkansas Livestock and Poultry Commission is primarily an informational and educational program which is more compatible with the service goals of the University of Arkansas Cooperative Extension Service; that it is the purpose and intent of this act to transfer the authority and responsibility for administering the Market News Reporting Program to the University of Arkansas Cooperative Extension Service and that this transfer of authority and responsibility should be effected at the beginning of the 1977-78 fiscal year, and that in order to assure that this act will become effective on or before July 1, 1977, it is essential that an emergency be declared. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full

force and effect from and after its passage and approval."

Acts 1981, No. 599, § 1: Mar. 19, 1981. Emergency clause provided: "It is hereby found and determined by the General Assembly that the athletic programs of the University of Arkansas are conducted by an official and public agency of this State, and that discrimination in access to the radio broadcast rights to any football or basketball game by the Athletic Department of the University of Arkansas is contrary to the public interest, and is detrimental to the public support and the rights of the people of this State to enjoy the benefits of radio broadcasts of said games, and, that the immediate passage of this Act is necessary to clarify and prohibit the Athletic Department of the University of Arkansas from granting exclusive rights to only one or more radio broadcasting stations to broadcast such games, and to require that the broadcasting of such games be made available in accordance with uniform standards, fees and regulations to all radio broadcasting firms in this State, and that the immediate passage of this Act is necessary to clarify said problem. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1995, No. 1099, § 33: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

Acts 2003, No. 1473, § 74: July 1, 2003. Emergency clause provided: "It is found

and determined by the General Assembly of the State of Arkansas that this act includes technical corrects to Act 923 of 2003 which establishes the classification and compensation levels of state employees covered by the provisions of the Uniform Classification and Compensation Act; that Act 923 of 2003 will become

effective on July 1, 2003; and that to avoid confusion this act must also effective on July 1, 2003. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003."

6-64-101. Courses of study.

The course of study in the University of Arkansas shall embrace agricultural chemistry, animal and plant anatomy and physiology, the application of science and the mechanic arts to practical agriculture in the field, veterinary arts, entomology, rural and household economy and horticulture, practical mechanic arts as taught in the workshops, the English language and literature, mathematics, civil engineering, philosophy, history, and bookkeeping, military tactics, and such other branches of study as the Board of Trustees of the University of Arkansas may prescribe.

History. Acts 1887, No. 95, § 6, p. 178; § 9544; Pope's Dig., § 13165; A.S.A. 1947, 1891, No. 83, § 3, p. 151; C. & M. Dig., § 80-2826.

CASE NOTES

Immunity From Suit.

The University of Arkansas for Medical Sciences (UAMS) is the name of a campus which is a part of the University of Arkansas, an institution of higher education established under Arkansas law. UAMS is not a separate institution or a corporate body which has the capacity to sue or be

sued. *Assaad-Faltas v. University of Ark. for Medical Sciences*, 708 F. Supp. 1026 (E.D. Ark. 1989), *aff'd* without op., 902 F.2d 1572 (8th Cir.), *cert. denied*, 498 U.S. 905, 111 S. Ct. 271, 112 L. Ed. 2d 227 (1990).

Cited: *Murphy v. Morris*, 200 Ark. 932, 141 S.W.2d 518 (1940).

6-64-102. [Repealed.]

Publisher's Notes. This section, concerning real estate research and education programs, was repealed by Acts 2015, No. 344, § 1. The section was derived

from Acts 1975, No. 338, § 1; 1975, No. 341, § 1; 1979, No. 1031, § 1; A.S.A. 1947, §§ 80-2884.1, 80-2894.

6-64-103. Marketing News Reporting Program.

The University of Arkansas Cooperative Extension Service is authorized to establish and maintain the Market News Reporting Program in cooperation with the United States Department of Agriculture.

History. Acts 1977, No. 76, § 1; A.S.A. 1947, § 80-2860.1.

Publisher's Notes. Acts 1957, No. 425, § 1, authorized the University of Arkansas to enter into cooperative agreements

with the United States of America, acting through the Production and Marketing Administration of the United States Department of Agriculture, or such agency as was prescribed by the United States Con-

gress, for the establishment of and maintenance of a market news program on livestock in and for the State of Arkansas. Acts 1977, No. 76, § 1, in part, transferred, effective July 1, 1977, the authority and responsibility for administering

the Market News Reporting Service from the Livestock Marketing Division of the Arkansas Livestock and Poultry Commission to the University of Arkansas Cooperative Extension Service.

6-64-104. Radio broadcasts of football and basketball games.

(a) Unless otherwise prohibited or limited by Southeastern Conference rules, the University of Arkansas Athletics Department shall make available for radio broadcasts all football and basketball games of the University of Arkansas under uniform arrangements for the right to radio broadcast the games as may be provided by the department.

(b) However, no discrimination shall be made against any licensed radio broadcasting station in this state with respect to the access to and the rights to radio broadcast football or basketball games in accordance with a schedule of fees, standards, rules, and regulations promulgated by the department making these broadcasts accessible and available to each Arkansas radio broadcasting station that desires to broadcast these games.

History. Acts 1981, No. 599, § 1; A.S.A. 1947, § 80-2895; Acts 2003, No. 1473, § 13; 2019, No. 315, § 381.

Amendments. The 2019 amendment inserted "rules" in (b).

6-64-105. [Repealed.]

Publisher's Notes. This section, concerning free transportation, was repealed by Acts 2013, No. 278, § 1. The section

was derived from Acts 1913, No. 224, § 7; C. & M. Dig., § 9538; Pope's Dig., § 13152; A.S.A. 1947, § 80-2825.

6-64-106. Division of Agriculture — Service on boards or commissions.

(a) No person employed by the Division of Agriculture of the University of Arkansas system may serve as a voting member of any board or commission which regulates activities in areas in which the division has responsibility for conducting research and extension programs.

(b) Such persons shall serve as ex officio members of such boards or commissions as required by statute.

(c) The division shall act in an advisory capacity to all such boards and commissions and is designated as the lead institution for such support.

(d) The Vice President for Agriculture, subject to approval by the President of the University of Arkansas system, shall determine the areas of responsibility of the division.

History. Acts 1995, No. 166, § 1.

Publisher's Notes. Former § 6-64-106, concerning the baccalaureate degree

nursing program, was repealed by Acts 1991, No. 1101, § 28. The former section was derived from Acts 1987, No. 546, § 2.

6-64-107, 6-64-108. [Repealed.]

A.C.R.C. Notes. Former § 6-64-107, concerning a housing allowance for the president or chancellor, was deemed to be superseded. The former section was derived from Acts 1989 (1st Ex. Sess.), No. 120, § 11. A similar provision which was also codified as § 6-64-107, and was previously superseded, was derived from Acts 1987, No. 754, § 12.

Two former versions of § 6-64-108, concerning housing allowance for chancellor for medical sciences, were deemed to be superseded. The former sections were de-

rived from Acts 1987, No. 703, § 14 and Acts 1991, No. 974, § 19.

Publisher's Notes. These sections, concerning the housing allowance for the president and chancellor of the University of Arkansas and for the chancellor of the University of Arkansas for Medical Sciences, were repealed by Acts 1999, No. 240, §§ 3, 4. The sections were derived from the following sources:

6-64-107. Acts 1991, No. 849, § 11.

6-64-108. Acts 1989 (1st Ex. Sess.), No. 278, § 15.

6-64-109. Housing allowance for chaplain.

The Chancellor of the University of Arkansas for Medical Sciences may designate up to forty-five percent (45%) of the regular gross salary or stipend of a minister or other clergy employed as a chaplain or appointed as a chaplain resident as a housing allowance, to the extent used by the person to rent or provide a home, according to the guidelines of 26 U.S.C. § 107, and § 26-51-404(b)(9).

History. Acts 1995, No. 1099, § 22.

6-64-110. Housing allowance.

The proceeds from the sale of the state-owned home for the Chancellor of the University of Arkansas for Medical Sciences shall continue to be invested, and the earnings on the investment shall be used to defray the total cost of the housing allowance or as much as the investment earnings will provide, whichever is the lesser.

History. Acts 1999, No. 240, § 1.

Cross References. Housing allowance, § 6-62-108.

6-64-111. [Repealed.]

Publisher's Notes. This section, concerning allowance in lieu of housing, was repealed by Acts 2015, No. 344, § 2. The

section was derived from Acts 1999, No. 240, § 2.

6-64-112. [Repealed.]

Publisher's Notes. This section, concerning the lead agency for the Arkansas Victim Assistance Academy, was repealed

by Acts 2017, No. 459, § 1. The section was derived from Acts 2009, No. 961, § 1.

SUBCHAPTER 2 — BOARD OF TRUSTEES

SECTION.

- 6-64-201. Members — Meetings.
- 6-64-202. Board of Trustees of the University of Arkansas incorporated — Powers and authority.
- 6-64-203. Rules.
- 6-64-204. Charges brought against board or committee members, employees, etc. — Procedure.
- 6-64-205. Examinations by committee — Service of process.
- 6-64-206. Findings of examinations and inquiries reduced to writing.

SECTION.

- 6-64-207. President of the University of Arkansas.
- 6-64-208. Faculty and assistants.
- 6-64-209. Leaves of absence of faculty.
- 6-64-210. Salaries and compensation of teachers and employees.
- 6-64-211 — 6-64-213. [Repealed.]
- 6-64-214. Employment of relatives.
- 6-64-215. [Repealed.]
- 6-64-216. Report as to expenditures.
- 6-64-217. [Repealed.]
- 6-64-218. Sale of donated land.
- 6-64-219, 6-64-220. [Transferred.]

Preambles. Acts 1943, No. 272, contained a preamble which read: "Whereas, Amendment 33, voted on as Amendment 35, to the Constitution of the State of Arkansas, in effect and operation from and after January 15, 1943, provides that the term of office of the ten members of the Board of Trustees of the University of Arkansas shall be ten years, that such terms of office shall be arranged by the General Assembly to provide a membership with one term of office expiring every year from the effective date of the amendment and that the unexpired terms of members serving on the effective date of the amendment shall not be decreased,

"Therefore, in compliance with Amendment 33 ..."

Effective Dates. Acts 1871, No. 44, § 21: effective on passage.

Acts 1873, No. 33, § 4: effective on passage.

Acts 1887, No. 95, § 17: effective on passage.

Acts 1891, No. 83, § 6: effective on passage.

Acts 1903, No. 195, § 7: effective on passage.

Acts 1907, No. 87, § 2: effective on passage.

Acts 1909, No. 283, § 3: effective on passage.

Acts 1913, No. 224, § 11: approved Mar. 29, 1913. Emergency declared.

Acts 1939, No. 9, § 3: Jan. 24, 1939. Emergency clause provided: "The General Assembly, realizing that there is no provi-

sion making it mandatory that former students of the University of Arkansas be represented on the Board of Trustees of said institution, and realizing that the activities of the University of Arkansas have been greatly increased during the past several years and that many of the subjects in the course of study are not represented on said Board, and knowing that the alumni of said institution are more interested in said institution than those who have never attended the University, and believing that said alumni should at all times be represented on said Board of Trustees and have an active interest in the conduct, operation and management of said institution, hereby declares that an emergency exists, and this Act being necessary for the immediate preservation of the public peace, health and safety shall be effective immediately upon its adoption and approval."

Acts 1941, No. 302, § 3: approved Mar. 26, 1941. Emergency clause provided: "It is hereby found and declared that the Board of Trustees of the University of Arkansas should be free of political influence to the greatest extent possible, and to that end the Governor and the Superintendent of Public Instruction should not be members of said Board, ex officio or otherwise; that the Board of Trustees should begin immediately the shaping of the policies of the school year beginning in September next; that delay in the effective date of this Act would have a tendency to render uncertain the policies and actions

of the Board, in conflict with the best interests of the institution; that the preservation of the public peace, health and safety demands that this Act take effect without delay; an emergency is therefore declared, and this Act shall take effect and be in force from and after its passage.”

Acts 1943, No. 272, § 4: approved Mar. 18, 1943. Emergency clause provided: “It is hereby found and declared that delay in the effective date of this act would be contrary to the will of the people of the State of Arkansas as expressed by the vote on Amendment 33 adopted at the General Election November 3, 1942, and would be in conflict with the purpose of the Amendment and would have a tendency to render uncertain the policies and actions of the Board of Trustees of the University of Arkansas; that the Board of Trustees, as constituted under Amendment 33, should begin immediately the shaping of the policies of the school; that the preservation of the public peace, health and safety demands this act take effect without delay; therefore, an emergency is declared and this act shall take effect and be in force from and after its passage.”

Acts 1985, No. 464, § 5: Mar. 21, 1985. Emergency clause provided: “It is hereby found and determined by the General Assembly that there still exists an obsolete law prohibiting the employment at the University of Arkansas of persons related within the fourth degree of consanguinity to any member of the Board of Trustees;

that such law no longer comports to the public policy of this State and should be immediately modified to avoid inequitable treatment of such persons; that this Act will eliminate the inequity and should therefore be given immediate effect. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.”

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: “It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.”

6-64-201. Members — Meetings.

(a) The Board of Trustees of the University of Arkansas shall consist of ten (10) members.

(b) The Governor shall appoint the trustees. These appointments shall be with the consent of the Senate, except as provided in Arkansas Constitution, Amendment 33, § 5.

(c)(1) Two (2) members shall be appointed from each of the four (4) congressional districts, as established following the most recent federal census.

(2)(A) Two (2) members shall be appointed from the state at large.

(B) The two (2) at-large members shall not reside in the same congressional district.

(3) In case of an increase or decrease in the number of congressional districts in the state, the number of members appointed from the state

at large shall be increased or decreased in a manner to assure equal representation on the board for each congressional district.

(4) The member or members of the board, if any, appointed from the state at large shall be alumni of the University of Arkansas.

(d) The term of office shall be ten (10) years.

(e) The trustees shall make and subscribe to an affidavit before entering upon their respective duties to faithfully, diligently, and impartially discharge the duties of their office.

(f)(1) The board, for any cause deemed sufficient by them, shall have power by a majority vote, taken at any meeting, to remove any member from the board. However, no member shall be so removed unless as many as five (5) of the trustees vote for removal.

(2) When any member of the board is so removed, the votes of the trustees shall be recorded, and the president of the board shall make a certificate showing the result of the vote and transmit the certificate without delay to the Governor, who shall at once declare the commission which had been issued to the removed trustee vacated, and he or she shall appoint and commission some competent person to fill the vacancy so occasioned.

(g)(1) The board shall elect a chairperson.

(2) A lesser number than a quorum may adjourn from time to time.

(3) The board shall have the power to hold adjourned meetings when the business of the university actually requires it, or the chairperson of the board may call a meeting of the board when he or she is satisfied that the interest of the university so requires or when five (5) members of the board petition him or her so to do.

(h) The members of the board may receive expense reimbursement in accordance with § 25-16-901 et seq.

History. Acts 1871, No. 44, § 12, p. 201; 1873, No. 33, § 1, p. 65; 1874 (Spec. Sess.), No. 31, § 4, p. 39; 1875, No. 109, § 1, p. 234; 1887, No. 95, §§ 1, 2, p. 178; 1891, No. 83, § 2, p. 151; 1907, No. 87, § 1, p. 192; C. & M. Dig., §§ 9518, 9519, 9523, 9527 — 9529, 9533; Pope's Dig., §§ 13137, 13138, 13142, 13146 — 13148, 13156; Acts 1939, No. 9, §§ 1, 2; 1941, No. 302, §§ 1, 2; 1943, No. 272, §§ 1, 2; A.S.A. 1947, §§ 80-2802 — 80-2807, 80-2810; Acts 1997, No. 250, § 28; 1997, No. 1140, § 1; 2015, No. 344, §§ 3, 4.

A.C.R.C. Notes. As amended by Acts 1997, No. 1140, subsection (c) also provided: "The members of the board in

office on July 1, 1997, shall continue to serve their regular terms. As terms expire after that date, appointments to the board shall be made in such manner as to assure that as soon as practicable the members of the board will represent the different areas of the state as required by this act. Provided, when the first term expires after July 1, 1997, the person appointed to the position shall be a resident of the Fourth Congressional District."

Cross References. Meetings generally, § 25-17-208.

Compensation of state boards, § 25-16-901 et seq.

CASE NOTES

Cited: *Jacobs v. Sharp*, 211 Ark. 865, 202 S.W.2d 964 (1947); *Arkansas v. Texas*, 346 U.S. 368, 74 S. Ct. 109, 98 L. Ed. 80 (1953).

6-64-202. Board of Trustees of the University of Arkansas incorporated — Powers and authority.

The Board of Trustees of the University of Arkansas is made a body politic and corporate and shall have all the powers of a corporate body, subject to the Arkansas Constitution and laws of the State of Arkansas, and the board possesses all the power and authority possessed by the board of trustees of the university under laws existing on March 30, 1887.

History. Acts 1887, No. 95, § 2, p. 178; C. & M. Dig., § 9523; Pope’s Dig., § 13142; A.S.A. 1947, § 80-2804.

CASE NOTES

Cited: Jacobs v. Sharp, 211 Ark. 865, 202 S.W.2d 964 (1947); Lindsay v. White, 212 Ark. 541, 206 S.W.2d 762 (1947); Arkansas v. Texas, 346 U.S. 368, 74 S. Ct.

109, 98 L. Ed. 80 (1953); Cammack v. Chalmers, 284 Ark. 161, 680 S.W.2d 689 (1984).

6-64-203. Rules.

The Board of Trustees of the University of Arkansas shall have power to prescribe all rules for the government and discipline of the University of Arkansas, subject to the provisions of this subchapter and such other acts of the General Assembly as may be prescribed.

History. Acts 1887, No. 95, § 4, p. 178; C. & M. Dig., § 9524; Pope’s Dig., § 13143; A.S.A. 1947, § 80-2812; Acts 2019, No. 315, § 382.

Amendments. The 2019 amendment deleted “and regulations” following “rules” in the section heading and in the text.

RESEARCH REFERENCES

Ark. L. Rev. The Emerging Law of Students’ Rights, 23 Ark. L. Rev. 619.

CASE NOTES

Cited: Gay & Lesbian Students Ass’n v. Gohn, 850 F.2d 361 (8th Cir. 1988).

6-64-204. Charges brought against board or committee members, employees, etc. — Procedure.

(a) The Board of Trustees of the University of Arkansas is fully empowered and authorized, either as a board or through any committee it may select or appoint, to inquire into and fully investigate any and all charges that have been or may be preferred against any trustee of the board or any member of any committee appointed by or under the direction of the board or any contractor, architect, builder, employee, agent, or other person acting by agreement with, or authority of, or

under the board or any of the committees of the board, in any capacity whatever.

(b) For the purposes of such investigations or inquiry, the board or any committee that may be appointed by it shall and may hold meetings in the state, at such time and place as may be designated by the board, or by a committee so appointed.

(c)(1) The chair of the executive committee of the board shall have full and ample power to issue all necessary process for summoning and compelling the attendance of witnesses before the board or committee and may impose upon all witnesses who refuse to obey such process, or to testify fully and explicitly before such board or committee, in reference to any and all such matters as may be the subject of inquiry, all the pains or penalties that might or could be imposed upon the witnesses by the circuit court, in any case, if a witness were to fail and refuse to appear and testify before the proper circuit court of his or her county in a cause or matter legally pending therein after being summoned to so appear and testify therein.

(2)(A) The process issued by the chair of the executive committee may be directed to any sheriff, coroner, or constable in this state.

(B) If the officer fails, neglects, or refuses to execute the process, he or she shall be subject to all the forfeitures, pains, and penalties which might or could be imposed upon him or her for failing, neglecting, or refusing to serve necessary or proper process from a circuit court in his or her own county. The fine, imprisonment, and penalties as can be so assessed shall be enforced and carried out upon the order of the chair of the executive committee.

(3) The chair shall be required to have no commission to so act, except as a member of the board, and a certificate of his or her election or appointment to such place by the board or the president of such board.

History. Acts 1873, No. 33, § 2, p. 65;
C. & M. Dig., § 9534; Pope's Dig.,
§ 13157; A.S.A. 1947, § 80-2808.

6-64-205. Examinations by committee — Service of process.

(a) Process under § 6-64-201(f) and § 6-64-204 shall run in the name of the state.

(b) The officers and witnesses shall execute and obey the same without any advanced fees or compensation, and their accounts or claims for service, attendance, or other costs arising in such investigation shall be presented to the Board of Trustees of the University of Arkansas, and shall order, through its president, certificates issued upon their treasurer for reasonable compensation.

History. Acts 1873, No. 33, § 3, p. 65;
C. & M. Dig., § 9535; Pope's Dig.,
§ 13158; A.S.A. 1947, § 80-2809.

6-64-206. Findings of examinations and inquiries reduced to writing.

The material parts of all examinations and inquiries had by any committee shall be reduced to writing and laid before the Board of Trustees of the University of Arkansas for its action.

History. Acts 1873, No. 33, § 3, p. 65; C. & M. Dig., § 9535; Pope's Dig., § 13158; A.S.A. 1947, § 80-2809.

6-64-207. President of the University of Arkansas.

The President of the University of Arkansas shall attend meetings of the Board of Trustees of the University of Arkansas at such times and places as named and required in this subchapter and shall perform all such duties as are required in this subchapter or may be directed by the board.

History. Acts 1871, No. 44, § 12, p. 201; C. & M. Dig., § 9529; Pope's Dig., § 13148; A.S.A. 1947, § 80-2810; Acts 1997, No. 250, § 29; 2015, No. 344, § 5. **Cross References.** Compensation of state boards, § 25-16-901 et seq.

6-64-208. Faculty and assistants.

(a) The faculty of the University of Arkansas shall consist of a president and such professors as the Board of Trustees of the University of Arkansas may deem necessary, whose compensation shall be fixed by the board.

(b) The board may employ such assistants as it may deem necessary, whose compensation shall be fixed by the board.

(c) The manner of payment of all salaries shall be regulated by the board.

History. Acts 1887, No. 95, § 8, p. 178; § 9536; Pope's Dig., § 13159; A.S.A. 1947, 1891, No. 83, § 5, p. 151; C. & M. Dig., § 80-2823; Acts 2015, No. 344, § 6.

6-64-209. Leaves of absence of faculty.

(a) The matter of leaves of absence of the faculty shall rest with the Board of Trustees of the University of Arkansas.

(b) No person shall be entitled to any salary when on leave of absence, except when on university business.

History. Acts 1909, No. 283, § 2, p. 873; C. & M. Dig., § 9564; Pope's Dig., § 13150; A.S.A. 1947, § 80-2824.

6-64-210. Salaries and compensation of teachers and employees.

The Board of Trustees of the University of Arkansas shall fix and from time to time regulate the fees, allowances, salaries, and wages to be paid to architects, inspectors, professors, teachers, agents, committees, servants, or other necessary employees. It shall observe rigid economy in such expenditures and diligently discharge its duties according to law.

History. Acts 1871, No. 44, § 16, p. 201; C. & M. Dig., § 9530; Pope's Dig., § 13151; A.S.A. 1947, § 80-2813.

6-64-211 — 6-64-213. [Repealed.]

Publisher's Notes. These sections, concerning financial officer; financial officer attendance at board meetings; and purchasing agent and registrar, were repealed by Acts 2015, No. 344, § 7. The sections were derived from the following sources:

6-64-211. Acts 1913, No. 224, § 10; A.S.A. 1947, § 80-2821.

6-64-212. Acts 1871, No. 44, § 12, p. 201; C. & M. Dig., § 9529; Pope's Dig., § 13148; A.S.A. 1947, § 80-2810.

6-64-213. Acts 1915, No. 289, § 8; C. & M. Dig., § 9553; Pope's Dig., § 13202; A.S.A. 1947, § 80-2822.

6-64-214. Employment of relatives.

(a) No person related by affinity or consanguinity within the first degree to any member of the Board of Trustees of the University of Arkansas shall be employed in the University of Arkansas in any capacity. However, the provisions of this subsection shall not be applicable with respect to any person who is already employed by the university as of March 21, 1985, or at the time a relative becomes a member of the board, or to any student doing work at the university.

(b) The secretary of the board is prohibited from drawing a warrant in favor of any such relative and shall be liable on his or her bond for any violation of this provision. However, the provisions of this subsection shall not be applicable with respect to any person who is already employed by the university as of March 21, 1985, or at the time a relative becomes a member of the board.

History. Acts 1901, No. 164, § 5, p. 314; 1903, No. 195, § 5, p. 388; Pope's

Dig., § 13153; Acts 1985, No. 464, §§ 1, 2; A.S.A. 1947, §§ 80-2819, 80-2820.

6-64-215. [Repealed.]

Publisher's Notes. This section, concerning records and reports regarding students and teachers, was repealed by Acts 2015, No. 344, § 8. The section was de-

rived from Acts 1913, No. 224, § 10; C. & M. Dig., §§ 9520 — 9522; Pope's Dig., §§ 13139 — 13141; A.S.A. 1947, §§ 80-2814 — 80-2816; 2005, No. 1994, § 187.

6-64-216. Report as to expenditures.

The Board of Trustees of the University of Arkansas shall make a report to the General Assembly, showing by items how each appropriation is expended.

History. Acts 1913, No. 224, § 8; C. & M. Dig., § 9532; Pope’s Dig., § 13155; A.S.A. 1947, § 80-2817.

CASE NOTES

Cited: Arkansas v. Texas, 346 U.S. 368, 74 S. Ct. 109, 98 L. Ed. 80 (1953).

6-64-217. [Repealed.]

Publisher’s Notes. This section, concerning the annual report of agricultural and mechanical departments, was repealed by Acts 2015, No. 344, § 9. The

section was derived from Acts 1887, No. 95, § 10, p. 178; C. & M. Dig., § 9525; Pope’s Dig., § 13144; A.S.A. 1947, § 80-2818.

6-64-218. Sale of donated land.

- (a) The Board of Trustees of the University of Arkansas may sell any land donated to the University of Arkansas by individuals.
- (b) When the purchase price is paid to the treasurer of the university, the president and secretary of the board shall execute a deed conveying the lands to the purchaser.

History. Acts 1901, No. 164, § 4, p. 314; C. & M. Dig., § 9526; Pope’s Dig., § 13145; A.S.A. 1947, § 80-2811.

6-64-219, 6-64-220. [Transferred.]

A.C.R.C. Notes. Sections 6-64-219 and 6-64-220 have been renumbered as §§ 6-64-108 [repealed] and 6-64-109, respectively.

SUBCHAPTER 3 — CAMPUSES ESTABLISHED

SECTION.
6-64-301. Little Rock — Establishment.
6-64-302. Monticello — Establishment.
6-64-303. Pine Bluff — Establishment and programs.

SECTION.
6-64-304. [Repealed.]
6-64-305. eVersity — University of Arkansas system.

Cross References. Authorization for college extension courses, § 6-60-401 et seq.
Cooperative education program in state government, § 21-3-501 et seq.

Regulations as to establishment of branch campuses, § 6-61-303 et seq.
Preambles. Acts 1969, No. 35 contained a preamble which read: “Whereas, the Board of Trustees of the University of

Arkansas and the Board of Trustees of Little Rock University have made detailed studies and identified the proper scope of educational responsibilities for Central Arkansas, and have jointly concluded, as a matter of educational judgment, that imperative measures must be taken to satisfy the increasing demands for educational opportunity for the young people of Central Arkansas; and

"Whereas, to that end and purpose these Boards of Trustees have, after much deliberation, concluded an 'Agreement of Merger and Plan of Transition' which provides for the orderly merger of Little Rock University into the University of Arkansas; and

"Whereas, the 'Agreement of Merger and Plan of Transition' is conditioned upon the enactment by the General Assembly of a State appropriation for the purpose of operating the resulting University of Arkansas at Little Rock;

"Now, therefore ... "

Acts 1971, No. 9 contained a preamble which read: "Whereas, the Board of Trustees of the University of Arkansas and the Board of Trustees of Arkansas Agricultural and Mechanical College have made detailed studies and identified the benefits which will accrue to the people of the State of Arkansas and to each of these educational endeavors from a merger by which the University of Arkansas would be the resulting institution and Arkansas Agricultural and Mechanical College would be consolidated therein, all as provided in Arkansas Constitution, Amendment 33; and,

"Whereas, these Boards have developed a plan of response which will produce a significant accrual of benefits and economies in order to serve, more effectively

and efficiently, the needs of the State relative to educational opportunities for an increasing number of our young people in Southeast Arkansas, and to develop research and educational services on a coordinated basis as resources become available for the forest, petroleum and other industries, and for the agricultural economy all of which are prominent in Southeast Arkansas; and,

"Whereas, this plan, incorporated in an 'Agreement of Merger and Plan of Transition,' has been jointly developed and agreed to contingent upon the approval of the General Assembly by authorizing the two existing institutions to merge, by transferring the appropriation of the merged institution, and by amending or repealing those statutes establishing and providing for Arkansas Agricultural and Mechanical College;

"Now, therefore ... "

Effective Dates. Acts 1969, No. 35, § 2: Feb. 2, 1969. Emergency clause provided: "It has been found and determined by the General Assembly that it is essential to the continued progress of higher education in this State that additional facilities be provided to meet the increasing demands for educational opportunity for the young people of the State; that it is imperative that the necessary measures be taken to provide such facilities as soon as possible; that it is necessary that this act take effect immediately so that a budget may be prepared and submitted to the Sixty-Seventh General Assembly to finance the University of Arkansas at Little Rock provided for in this act. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in effect from the date of its passage and approval."

6-64-301. Little Rock — Establishment.

The Board of Trustees of the University of Arkansas is authorized to establish and operate, as a part thereof, a campus to be known as the University of Arkansas at Little Rock, incorporating therein the private institution formerly known as Little Rock University, which was transferred to the control of the board for purposes of this merger.

History. Acts 1969, No. 35, § 1; A.S.A. 1947, § 80-2884.

A.C.R.C. Notes. Acts 1991, No. 599, § 6, provided: "The University of Arkan-

sas at Little Rock shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the University of Arkansas at Little Rock shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are

not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the University of Arkansas at Little Rock does not exceed 25% of that required for a full-time employee.”

CASE NOTES

Cited: Little Rock Univ. v. George W. Donaghey Found., 252 Ark. 1148, 483 S.W.2d 230 (1972).

6-64-302. Monticello — Establishment.

(a) The Board of Trustees of the University of Arkansas is authorized to establish and operate, as a part thereof, a campus to be known as the University of Arkansas at Monticello, consolidating and incorporating therein the state institution formerly known as Arkansas Agricultural and Mechanical College, which, together with its board of trustees, was abolished as a separate institution with responsibility transferred to the control of the Board of Trustees of the University of Arkansas as a part of the University of Arkansas effective July 1, 1971.

(b) The Board of Trustees of the University of Arkansas shall maintain and operate the campus at Monticello as a major four-year campus of the University of Arkansas, offering at that location the highest possible quality of high educational programs, shall provide for the sound growth and improvement of the quality of the academic programs, and shall expand its mission to include technical education at Forest Echoes Technical Institute, which after July 1, 2003, shall be known as the University of Arkansas at Monticello College of Technology-Crossett, and Great Rivers Technical Institute, which after July 1, 2003, shall be known as the University of Arkansas at Monticello College of Technology-McGehee.

History. Acts 1971, No. 9, § 1; A.S.A. 1947, § 80-2885; Acts 1997, No. 834, § 1; 2003, No. 1196, § 1; 2005, No. 1771, § 1; 2017, No. 540, § 6; 2017, No. 1006, § 1.

A.C.R.C. Notes. Acts 1991, No. 638, § 5, provided: “The University of Arkansas at Monticello shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the University of Arkansas at Monticello shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employ-

ment with the University of Arkansas at Monticello does not exceed 25% of that required for a full-time employee.”

Acts 1997, No. 834, § 1, also provided for members of the initial board to draw lots for terms of from one (1) to three (3) years.

Pursuant to § 1-2-207(b), the amendment to subsections (b) and (c) by Acts 2017, No. 540, § 6, is superseded by the amendment to this section by Acts 2017, No. 1006, § 1. Acts 2017, No. 540, § 6, provided:

“(b)(1) There is established the Board of Visitors for the University of Arkansas at Monticello, which shall consist of seven (7) members appointed by the Governor

subject to confirmation by the Senate.

"(2)(A) The Governor shall appoint one (1) member from:

"(i) The Board of Directors of the University of Arkansas at Monticello College of Technology-Crossett; and

"(ii) The Board of Directors of the University of Arkansas at Monticello College of Technology-McGehee.

"(B) The Board of Directors of Forest Echoes Technical Institute, which after July 1, 2003, shall be known as the University of Arkansas at Monticello College of Technology-Crossett, and Great Rivers Technical Institute, which after July 1, 2003, shall be known as the University of Arkansas at Monticello College of Technology-McGehee, shall be appointed by the Board of Trustees of the University of Arkansas.

"(c)(1)(A) Appointments shall be bipartisan and be for terms of five (5) years.

"(B) The Governor shall endeavor to make appointments to the board of visitors so that at least four (4) members of the board of visitors will be alumni of the University of Arkansas at Monticello.

"(C) After the expiration of the terms of the members initially appointed under subsection (b) of this section, the members appointed by the Governor in 2006 shall draw lots for staggered terms.

"(D) Appointments after 2006 shall be for terms of five (5) years.

"(2) Members may serve no more than two (2) consecutive terms but shall otherwise be eligible for reappointment to the board of visitors.

"(3) When there is a vacancy in an unexpired term, the appointee shall serve for the remaining portion of the term."

Publisher's Notes. Acts 1925, No. 45, § 1, in part changed the name of the fourth district agricultural school located at Monticello to Agricultural and Mechanical College, Fourth District.

Acts 1943, No. 1 created an honorary board of managers for the Fourth District Agricultural and Mechanical College which succeeded to all the powers and duties of the board or commission charged with the management or control of that school which was abolished by that act. Acts 1971, No. 9, § 5 purported to amend Acts 1943, No. 1, § 2(14) by deleting the reference to "Arkansas Agricultural and Mechanical College" which had been abolished by Acts 1971, No. 9, § 1 (this section), but did not set out the amended portion that is required by Arkansas Constitution, Article 5, Section 23.

Acts 1971, No. 9, § 2, provided for the relinquishment of all responsibility, control, and supervision of the Arkansas Agricultural and Mechanical College by its Board of Trustees on July 1, 1971. Section 3 of that act provided that the Board of Trustees of the University of Arkansas would, on July 1, 1971, assume and be vested with all the rights, titles, powers, etc., of the Arkansas Agricultural and Mechanical College and its Board of Trustees, and be vested with all the rights, titles, and interests in and to all real and personal property acquired by or vested by law in or for the use of the Arkansas Agricultural and Mechanical College or its Board of Trustees. Section 3 also provided that the Arkansas Agricultural and Mechanical College be abolished as a separate institution. Section 4 of the act directed the appropriate state officials to transfer all funds, appropriations, credits, and equities of the Arkansas Agricultural and Mechanical College so that these funds, etc., would be credited to and made available to the University of Arkansas for use on its Monticello campus.

Amendments. The 2017 amendment by No. 540 rewrote (b) and (c).

The 2017 amendment by No. 1006 rewrote the section.

6-64-303. Pine Bluff — Establishment and programs.

(a) The Board of Trustees of the University of Arkansas is authorized to establish and operate, as a part thereof, a campus to be known as the University of Arkansas at Pine Bluff, consolidating and incorporating therein the facilities of the state institution formerly known as Arkansas Agricultural, Mechanical, and Normal College which, together with its board of trustees, was abolished as a separate institution effective July 1, 1972.

(b)(1) The board of trustees shall maintain and operate the campus at Pine Bluff as a major campus of the University of Arkansas, offering at that location the highest possible quality of higher educational programs, and shall provide for the sound growth and improvement in the quality of the academic programs.

(2) The board shall continue to offer programs providing opportunities for those young people in Arkansas who are culturally, socially, and economically disadvantaged as well as programs attractive to students from other groups, and the composition of the administration, faculty, and staff shall reflect these purposes.

History. Acts 1971, No. 512, § 1; A.S.A. 1947, § 80-3201n.

A.C.R.C. Notes. Acts 1991, No. 600, § 8, provided: "The University of Arkansas at Pine Bluff shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the University of Arkansas at Pine Bluff shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the University of Arkansas at Pine Bluff does not exceed 25% of that required for a full-time employee."

Publisher's Notes. Acts 1971, No. 512, § 3, provided in part for the relinquishment of all responsibility and control of the Arkansas Agricultural, Mechanical, and Normal College by its Board of Trustees on July 1, 1972. Section 3 further provided that the Board of Trustees would be divested of all future obligations and duties regarding that institution upon delivery of its assets, books of account, and files to the Board of Trustees of the University of Arkansas.

Acts 1971, No. 512, § 4, provided in part for development of plans by the presidents and other officials, faculty, and staff members of the Arkansas Agricultural, Mechanical, and Normal College and the University of Arkansas for the orderly transition of the Arkansas Agricultural, Mechanical, and Normal College into the University of Arkansas. Section 4 further provided that the President of the Arkansas Agricultural, Mechanical, and Normal College would become the Chancellor of the University of Arkansas at Pine Bluff.

Acts 1971, No. 512, § 5, provided that on July 1, 1972, the Board of Trustees of

the University of Arkansas would be vested with, and succeed to, all the rights, titles, powers, interests, properties, assets, funds, and credits of the Arkansas Agricultural, Mechanical, and Normal College and its board of trustees, including all rights, titles, and interests in and to all real and personal property acquired by or vested in that college or its board of trustees. Section 5 further provided that the Board of Trustees of the University of Arkansas would assume the future duties and responsibilities of higher education on the Pine Bluff, Arkansas campus from and after July 1, 1972.

Acts 1971, No. 512, § 6, directed the appropriate state officials to transfer all funds, appropriations, credits, and equities belonging to the Arkansas Agricultural, Mechanical, and Normal College so that they would be credited to and made available to the University of Arkansas for use on its Pine Bluff campus.

Acts 1971, No. 512, § 7, purported to amend several acts by deleting all references to "Arkansas Agricultural, Mechanical, and Normal College" or to that institution under the names by which it had previously been designated or operated (Branch Normal College, Agricultural, Mechanical, and Normal School for Negroes, State Agricultural, Mechanical, and Normal College, State A. M. & N. College, and Arkansas A. M. & N. College), and to its board of trustees. Acts 1971, No. 512, § 7, did not, however, set out the amended portion that is required by Arkansas Constitution, Article 5, Section 23.

Acts 1971, No. 512, § 10, contained a legislative recognition and declaration that any litigation or investigations arising from the operations of the Arkansas Agricultural, Mechanical, and Normal College prior to July 1, 1972, were not the

responsibility of, nor should they be attributed to, the University of Arkansas, its officials, or its Board of Trustees. Section 10 further provided that the University of Arkansas, its officials, or its board of

trustees would have no responsibility to appear, defend, or otherwise answer to any such claims, damages, reimbursement, suits, or other matters.

CASE NOTES

Retirement of Professors.

After the merger of Arkansas Agricultural, Mechanical and Normal College into the University of Arkansas system, the University of Arkansas could take any action on employment rights which could have been taken by AM & N in the absence of the merger and could legally alter the mandatory retirement age. *Russell v. Board of Trustees*, 502 F. Supp. 916 (E.D. Ark. 1980), *aff'd*, 657 F.2d 1008 (8th Cir. 1981).

Barring procedural irregularities, a university may lower a previously established mandatory retirement age and may apply the lower age to an already tenured professor. *Russell v. Board of Trustees*, 502 F. Supp. 916 (E.D. Ark. 1980), *aff'd*, 657 F.2d 1008 (8th Cir. 1981).

Professor had property interest in teaching until he reached age 72, which brought into play the requirements of due process, and the property interest was not eliminated by merger. *Russell v. Board of Trustees*, 502 F. Supp. 916 (E.D. Ark. 1980), *aff'd*, 657 F.2d 1008 (8th Cir. 1981).

Although plaintiff was a tenured professor at Arkansas Agricultural, Mechanical and Normal College prior to the merger into the University of Arkansas system, the board of trustees was not required to give plaintiff personalized notice of a contemplated change in the retirement age or to give him a personal hearing in which he could be heard individually by the trustees regarding the change. *Russell v. Board of Trustees*, 502 F. Supp. 916 (E.D. Ark. 1980), *aff'd*, 657 F.2d 1008 (8th Cir. 1981).

6-64-304. [Repealed.]

A.C.R.C. Notes. The repeal of this section by Acts 2017, No. 1006, § 2, superseded the amendment of this section by Acts 2017, No. 540, § 7. Acts 2017, No. 540, § 7 substituted "five (5) years" for "seven (7) years" in (c).

Publisher's Notes. This section, con-

cerning the Pine Bluff Board of Visitors, was repealed by Acts 2017, No. 1006, § 2. The section was derived from Acts 1971, No. 512, § 3; A.S.A. 1947, § 80-3201n; Acts 2015, No. 1100, § 7; 2017, No 540, § 7.

6-64-305. eVersity — University of Arkansas system.

(a) The General Assembly acknowledges that the eVersity, an entirely online institution of higher education of the University of Arkansas system established by the actions of the Board of Trustees of the University of Arkansas and recognized by the Arkansas Higher Education Coordinating Board, may:

(1) Offer certificate and degree programs in a manner that recognizes a systemic change from the traditional model for higher education; and

(2) Provide educational programs that meet the needs of an information-rich and technology-oriented population in a development-driven workforce era.

(b) A program of study offered by the eVersity shall have clearly defined expectations of students, including without limitations expectations concerning:

- (1) Knowledge;
- (2) Skills;
- (3) Competencies; and
- (4) Capacities for additional learning.

(c) To meet the needs of a changing workforce, graduates of the eVersity are required to demonstrate mastery, competency, and capabilities of the program area.

(d)(1) The eVersity courses and degree programs shall be designed to require active participation and engagement of students in the learning process.

(2) The eVersity courses and degree programs will be supported by strong academic support services to enhance student success.

(e) To provide affordable educational opportunities, open educational resources shall be utilized to support course delivery to students.

(f) To keep courses and degree programs offered by the eVersity at affordable tuition levels while maintaining transparency and accountability, the eVersity is exempt from the following statutes that are not applicable to an entirely online institution of higher education:

- (1) Section 6-60-204;
- (2) Section 6-60-206 [repealed];
- (3) Section 6-60-211;
- (4) Section 6-60-303;
- (5) Immunizations, § 6-60-501 et seq.;
- (6) Textbooks and course materials, § 6-60-601 et seq.;
- (7) Arkansas Higher Education Information System, § 6-60-901 et seq.;
- (8) Sections 6-61-107 and 6-61-108;
- (9) Section 6-61-123;
- (10) Section 6-61-127 [repealed];
- (11) Section 6-61-130;
- (12) Section 6-61-207;
- (13) Sections 6-61-214 and 6-61-215;
- (14) Sections 6-61-220 — 6-61-222;
- (15) Section 6-61-224 [repealed];
- (16) Sections 6-61-228 — 6-61-230 [repealed];
- (17) Section 6-61-233 [repealed];
- (18) Sections 6-62-106 and 6-62-107;
- (19) Section 6-63-104;
- (20) Section 6-63-303;
- (21) Section 6-63-307;
- (22) Section 6-80-106; and
- (23) Section 19-4-1604.

History. Acts 2015, No. 306, § 1; 2019, No. 256, § 6.

Amendments. The 2019 amendment repealed former (f)(18).

SUBCHAPTER 4 — MEDICAL DEPARTMENT GENERALLY

SECTION.

- 6-64-401. Maintenance as part of university.
- 6-64-402. Control and management.
- 6-64-403. Costs of maintenance.
- 6-64-404. Policies and practices of medical center.
- 6-64-405. University of Arkansas College of Medicine Admissions Board.
- 6-64-406. Admissions generally.
- 6-64-407. Admissions — Transfer students.
- 6-64-408. Fees and scholarships.
- 6-64-409. Family Practice Department.
- 6-64-410. School of Pharmacy.
- 6-64-411. School of Dental Hygiene.
- 6-64-412. Chair on Alcoholism and Drug Abuse Prevention.
- 6-64-413. Special allowances.

SECTION.

- 6-64-414. Area health education centers.
- 6-64-415. Applicability of § 6-61-105.
- 6-64-416. Establishment and administration.
- 6-64-417. College of Nursing and School of Pharmacy program improvements.
- 6-64-418. College of Public Health collaboration.
- 6-64-419. Adult Sickle Cell Clinic of the University of Arkansas for Medical Sciences.
- 6-64-420. UAMS Adult Sickle Cell Disease Program.
- 6-64-421. Center for Dental Education.
- 6-64-422. Advanced practice nurses at area health education center.

A.C.R.C. Notes. Acts 1991, No. 974, § 20, provided: "The University of Arkansas for Medical Sciences shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the University of Arkansas for Medical Sciences University of Arkansas for Medical Sciences shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the University of Arkansas for Medical Sciences does not exceed 25% of that required for a full-time employee."

Cross References. Acquisition of unclaimed bodies by University of Arkansas Medical School, § 20-17-701 et seq.

Preambles. Acts 1911, No. 360, p. 336 contained a preamble which read: "Whereas, the 'Arkansas Industrial University Medical Department,' a corporation organized and existing in Pulaski County, Arkansas, under the laws of Arkansas providing for the incorporation of benevolent associations, is the owner of the following described real and personal property, to-wit:

"A parcel of ground and building thereon at the corner of East Second and

Sherman streets, in the city of Little Rock, of the estimated value of thirty thousand dollars [\$30,000.00], a parcel of ground and building thereon at No. 611 East Markham street, in the city of Little Rock, of the estimated value of six thousand five hundred dollars [\$6,500.00], cash on hand twenty thousand dollars [\$20,000.00], office fixtures of the estimated value of four hundred dollars [\$400.00], operating room of the estimated value of three hundred dollars [\$300.00], dispensary of the estimated value of five hundred dollars [\$500.00], library of the estimated value of one thousand five hundred dollars [\$1,500.00], chemical laboratory, apparatus, supplies and chemicals of the estimated value of one thousand two hundred dollars [\$1,200.00], anatomical laboratory of the estimated value of three hundred dollars [\$300], pathology, bacteriology and histological laboratory of the estimated value of four thousand, seven hundred and three dollars [\$4,703], and physical laboratory, equipment and supplies of the estimated value of three hundred and fifty dollars [\$350], all said property of the aggregate value, estimated, of sixty-five thousand, seven hundred and fifty-three dollars [\$65,753], in which buildings and with which property a medical college is being conducted under authority of the University of Arkansas, but at the ex-

pense of the corporation aforesaid; and

"Whereas, said corporation is willing to convey all said property to the State of Arkansas for the use of the University of Arkansas, in consideration of the State maintaining and conducting a medical college as part of the University of Arkansas ..."

Effective Dates. Acts 1911, No. 360, § 6: approved May 30, 1911. Emergency declared.

Acts 1967, No. 331, § 5: Mar. 14, 1967. Emergency clause provided: "It is hereby found and determined that the General Assembly has, by a vote of two-thirds (2/3) of the members elected to both houses, voted to extend the regular session of 66th General Assembly, as authorized in the Constitution; that under the provisions of Amendment 7 to the Constitution, enactments of the General Assembly that do not have an emergency clause do not become effective until ninety (90) days after the date of final adjournment of the General Assembly; that the session of the General Assembly may not adjourn in time for this Act to take effect prior to July 1, 1967, thereby depriving the agency for which funds are appropriated herein of necessary operating funds to commence the next fiscal biennium; and, in order that the appropriation made herein may be available on July 1, 1967, the General Assembly determines that the immediate passage of this Act is necessary. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval, provided, that the appropriation authorized herein shall not be available until July 1, 1967."

Acts 1972 (1st Ex. Sess.), No. 43, § 8: Feb. 18, 1972. Emergency clause provided: "It has been found and determined by the Sixty-Eighth General Assembly, meeting in Extraordinary Session that Act 812 of 1971 did not provide sufficient appropriation to properly fund the Family Practice Program of the State Medical Center and that additional appropriation and funds for this program must be provided immediately. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall

be in full force and effect from and after its passage and approval."

Acts 1973, No. 453, § 2: became law without Governor's signature, Mar. 26, 1973. Emergency clause provided: "It is hereby found and determined by the General Assembly that there is a great need in the State of Arkansas for physicians interested in practicing family medicine or engaging in the general practice of medicine; that although there are many students at the University of Arkansas Medical Center who are interested in the general practice of medicine or practice of family medicine, the present policies and curriculum of the Medical Center are not designed to encourage and prepare graduates to enter into the general practice of medicine; that this Act is designed to provide for a thorough review and study of the policies and curriculum at the University of Arkansas Medical Center to correct this undesirable situation, and should be given effect immediately. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1987, No. 639, § 3: July 1, 1987. Emergency clause provided: "It is hereby found and determined by the General Assembly that funding for a Chair on Alcoholism and Drug Abuse Prevention at the University of Arkansas for Medical Sciences is necessary for the support of such Chair; that alcoholism and drug abuse are a major public health problem in this State and that the funding of said Chair on Alcoholism and Drug Abuse Prevention is critical to the health and safety of the people of this State, and that the immediate passage of this Act is necessary to provide funding required for such Chair. Therefore, an emergency is hereby declared to exist and this Act, being immediately necessary for the preservation of the public health and safety, shall be in full force and effect from and after July 1, 1987."

Acts 1995, No. 1099, § 33: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the

operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2005, No. 2268, § 12: July 1, 2005. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2005 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this

Act beyond July 1, 2005 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2005."

Acts 2011, No. 1078, § 47: July 1, 2011. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2011 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2011 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2011."

Acts 2019, No. 986, § 52: July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2019 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2019 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2019."

6-64-401. Maintenance as part of university.

The College of Medicine of the University of Arkansas shall be maintained at the cost of the State of Arkansas, shall be a department

for the instruction of students in medical science, and shall be a part of the University of Arkansas but may be located in the City of Little Rock.

History. Acts 1911, No. 360, § 1; C. & M. Dig., § 9581; Pope's Dig., § 13247; A.S.A. 1947, § 80-2901.

Publisher's Notes. Acts 1911, No. 360, § 1, in part, changed the name of the medical college being operated in Little Rock under the authority of the University of Arkansas but maintained by and conducted in buildings owned by the Arkansas Industrial University Medical Department to the Medical Department of the University of Arkansas.

Acts 1911, No. 360, § 5, provided that the act would take effect upon the irrevocable transfer of all real and personal

property of the Arkansas Industrial University Medical Department to the State of Arkansas for the use and benefit of the University of Arkansas for the purpose of maintaining and operating a first class medical college as a part of that university. The section further provided that the State of Arkansas would take property held by the Arkansas Industrial University Medical Department pursuant to a bequest, devise, gift, or conveyance subject to any conditions binding upon the Arkansas Industrial University Medical Department.

CASE NOTES

Immunity from Suit.

Medical malpractice claim against the University of Arkansas for Medical Sciences (UAMS) was dismissed, pursuant to an interlocutory appeal, because, as a department of the University of Arkansas, the UAMS was not an entity that could be sued; the doctrine of sovereign immunity barred a claim against the University of Arkansas and its Board of Trustees be-

cause a finding for the patient against the UAMS would necessarily subject the State of Arkansas to financial liability, and sovereign immunity barred such an action unless it had been waived. *Univ. of Ark. for Med. Sciences v. Adams*, 354 Ark. 21, 117 S.W.3d 588 (2003).

Cited: *Lindsay v. White*, 212 Ark. 541, 206 S.W.2d 762 (1947).

6-64-402. Control and management.

(a) The College of Medicine of the University of Arkansas shall be under the management and control of the Board of Trustees of the University of Arkansas as fully and with like effect as the other departments of the University of Arkansas.

(b)(1) The board shall employ all necessary supervisors, professors, teachers, agents, and servants required to carry on the college and shall cause the college to be operated in a first-class manner and with courses of study, methods of instruction, and equipment of a standard equal to that required of medical colleges by the Association of American Medical Colleges.

(2) The board shall from time to time as the finances will allow and the advancement and necessity of the department require, add courses, fill professorships, and add buildings, furniture, libraries, apparatus, and other things so as to keep the college up to the standard required of medical colleges by the Association of American Medical Colleges.

History. Acts 1911, No. 360, § 2; C. & M. Dig., § 9582; Pope's Dig., § 13248; A.S.A. 1947, § 80-2902.

CASE NOTES

Immunity from Suit.

Medical malpractice claim against the University of Arkansas for Medical Sciences (UAMS) was dismissed, pursuant to an interlocutory appeal, because, as a department of the University of Arkansas, the UAMS was not an entity that could be sued; the doctrine of sovereign immunity barred a claim against the University of

Arkansas and its Board of Trustees because a finding for the patient against the UAMS would necessarily subject the State of Arkansas to financial liability, and sovereign immunity barred such an action unless it had been waived. *Univ. of Ark. for Med. Sciences v. Adams*, 354 Ark. 21, 117 S.W.3d 588 (2003).

6-64-403. Costs of maintenance.

(a) The expenses and costs of maintenance and operation of the College of Medicine of the University of Arkansas shall be borne by the State of Arkansas.

(b) The General Assembly shall provide for the expenses and costs of maintenance by appropriations made in like manner as appropriations are made for the maintenance and operation of the University of Arkansas.

History. Acts 1911, No. 360, § 4; C. & M. Dig., § 9584; Pope's Dig., § 13250; A.S.A. 1947, § 80-2904.

CASE NOTES

Immunity from Suit.

Medical malpractice claim against the University of Arkansas for Medical Sciences (UAMS) was dismissed, pursuant to an interlocutory appeal, because, as a department of the University of Arkansas, the UAMS was not an entity that could be sued; the doctrine of sovereign immunity barred a claim against the University of

Arkansas and its Board of Trustees because a finding for the patient against the UAMS would necessarily subject the State of Arkansas to financial liability, and sovereign immunity barred such an action unless it had been waived. *Univ. of Ark. for Med. Sciences v. Adams*, 354 Ark. 21, 117 S.W.3d 588 (2003).

6-64-404. Policies and practices of medical center.

The Board of Trustees of the University of Arkansas, the President of the University of Arkansas, and the Chancellor for Health Sciences of the University of Arkansas shall develop and follow appropriate policies and practices at the University of Arkansas for Medical Sciences Medical Center which will:

(1) Provide for specific limitations on the duration of appointments of academic department and division heads, chairs, deans, associate deans, program directors, and similar academic and administrative positions, with each appointment to such positions to be made for a period of four (4) years, renewable only after thorough assessment of individual performance and attitude of the appointee in relation to the institutional goals of the University of Arkansas for Medical Sciences

Medical Center and the statewide health labor force needs of the State of Arkansas; and

(2) Establish and maintain a medical school curriculum that, beginning with the freshman year, will provide appropriate courses specifically designed to encourage and support the educational goals of those students interested in an appropriate education for and establishment of a family medicine practice or general practice of medicine.

History. Acts 1973, No. 453, § 1; A.S.A. 1947, § 80-2927.

6-64-405. University of Arkansas College of Medicine Admissions Board.

(a) There is established the University of Arkansas College of Medicine Admissions Board.

(b)(1) The University of Arkansas College of Medicine Admissions Board shall be composed of fifteen (15) members to be appointed by the Board of Trustees of the University of Arkansas and shall be selected from a list submitted by the Dean of the University of Arkansas College of Medicine subject to the approval of the Chancellor for Health Sciences and the President of the University of Arkansas system.

(2) Six (6) of the members shall be members of the faculty of the University of Arkansas College of Medicine.

(3) Eight (8) of the members, at least four (4) of whom shall have faculty appointments in the University of Arkansas College of Medicine, shall be appointed from each of the four (4) congressional districts and shall be apportioned on the basis of two (2) members from each congressional district.

(4) One (1) member shall be appointed from the state at large.

(c) All members of the University of Arkansas College of Medicine Admissions Board shall serve one-year terms and may be reappointed for not more than three (3) additional consecutive terms.

(d) The University of Arkansas College of Medicine Admissions Board shall promulgate reasonable rules necessary to the fair and competitive selection of freshmen medical students with due consideration being given scholastic standings, recommendations of the pre-medical advisory committees of the various schools where the applicants pursue their premedical studies, their performance on the Medical College Admission Test, and any other procedures that can be developed that would deal fairly with the applicant group as a whole.

(e) The University of Arkansas College of Medicine Admissions Board shall serve without compensation except that each University of Arkansas College of Medicine Admissions Board member may receive expense reimbursement in accordance with § 25-16-901 et seq.

History. Acts 1975, No. 310, §§ 1-3; A.S.A. 1947, §§ 80-2928 — 80-2930; Acts 1997, No. 250, § 30; 2013, No. 515, § 1; 2019, No. 315, § 383.

A.C.R.C. Notes. Acts 2003, No. 828, § 1 provided: "Findings.

"(1)(A) The University of Arkansas College of Medicine includes nonfaculty mem-

bers on the fifteen (15) member admissions committee.

“(B) The Liaison Committee for Medical Education, the accrediting body for allopathic medical schools in the United States, mandates that the admissions committee that selects applicants for admission shall be faculty members.

“(C) However, state law mandates that the fifteen (15) member College of Medicine Admissions Committee consist of both faculty and nonfaculty members, two (2) from each of the four (4) congressional districts, and one (1) member at large.

“(D) The intent of the General Assembly mandate is to provide greater committee representation from the entire state, in particular the underserved areas of Arkansas.

“(E) Each time the University of Arkansas College of Medicine is reviewed for accreditation by the Liaison Committee for Medical Education, the college is required to explain the reasons for the inclusion of nonfaculty members on the admissions committee.

“(F) The College of Medicine Admissions Committee is the only medical school admissions committee in the United States that includes nonfaculty members.

“(2)(A) Arkansas law mandates that seventy percent (70%) of the one hundred fifty (150) positions in the Freshman class each year be equally distributed among the four (4) congressional districts.

“(B) The seventy percent (70%) requirement increases the geographical distribution and number of applicants from underserved areas of the state who are accepted for admission.

“(C) The University of Arkansas College of Medicine is the only medical school in the United States that incorporates the seventy percent (70%) rule in the admissions process.

“(3)(A) Many state medical schools have programs similar to the Arkansas program whose purpose is to increase the number of physicians practicing in rural communities in the state.

“(B) Arkansas has had a program since 1949, the Arkansas Rural Medical Practice Student Loan and Scholarship Program, that provides financial incentives to medical students who contract to practice

medicine in rural communities in the state.

“(C) Medical students are given substantial amounts of loans during medical school with the contractual agreement that the loans will be converted to grants or forgiven, if they complete residency training and practice medicine in an underserved rural community in the state.

“(D) However, Act 114 of 1995 created a new program, the Community Math Student Loan and Scholarship Program, which significantly modified the existing Arkansas Rural Medical Practice Student Loan and Scholarship Program.

“(E) Act 1257 of 1995 strengthened the penalties for students who default on their contractual obligation to practice medicine in the state.

“(F) However, the unique feature of Act 1114 of 1995, a specific provision that no other medical school in the United States has, is that if an alternate on the waiting list contracts with a rural community to practice primary care in that rural community, and the application is approved by the Arkansas Rural Medical Practice Student Loan and Scholarship Board that administers the program, the alternate is advanced to the top of the waiting list and this greatly enhances the applicant's chances of being admitted to medical school.

“(G) This unique feature also applies to alternates who wish to apply for the Arkansas Rural Practice Program.

“(H) Alternates who contract to practice medicine in a rural underserved community in the state, if approved by the board, are advanced on the waiting list, just below the Community Match Alternates who are approved and advanced.

“(I) Since the program's inception in 1995, the University of Arkansas College of Medicine has had approximately one hundred twenty-five (125) physicians-in-training contract to return to underserved areas of the state to practice full time primary care medicine.

“(J) Applicants from underserved areas are typically given greater considerations for participation and approval for the rural loan and scholarship programs.”

Amendments. The 2019 amendment deleted “and regulations” following “rules” in (d).

6-64-406. Admissions generally.

(a)(1) The Board of Trustees of the University of Arkansas shall provide for the admission annually of not less than one hundred fifty (150) freshman students to the University of Arkansas College of Medicine. However, the board may provide for a reduction in this number to any figure not less than ninety (90) during any school year if the admission of freshman students in excess of ninety (90) would endanger the accredited rating of the University of Arkansas College of Medicine as determined by the standards of the Association of American Medical Colleges.

(2) Whenever the board has developed the necessary policies and procedures to enable the Admissions Board of the University of Arkansas College of Medicine to comply with this subsection, the policies and procedures shall be published in the bulletin issued annually by the University of Arkansas College of Medicine.

(b)(1)(A) The board shall allocate the first seventy percent (70%) of the first one hundred fifty (150) enrollment positions for the freshman medical class among Arkansas congressional districts, using the population of each congressional district as determined by the last federal decennial census to determine that district's proportion of the freshman positions so allocated and shall assign those apportioned enrollment positions for each district to those applicants who are legal residents in that particular congressional district.

(B) The board shall give additional consideration to rural applicants from medically underserved areas in an effort to address health disparities.

(2)(A) The next fifteen percent (15%) of the first one hundred fifty (150) freshman enrollment positions shall be allocated to the state at large and assigned to applicants who are legal residents of any place within Arkansas.

(B) However, in allocating the fifteen percent (15%) to the state at large, the board may allocate not to exceed one-third ($\frac{1}{3}$) of the fifteen percent (15%) of the first one hundred fifty (150) freshman enrollment positions to applicants who do not actually reside in the state but who were born and reared and attended public schools in Arkansas and who in addition thereto shall meet two (2) or more of the following criteria:

- (i) Applicant is a registered voter in Arkansas;
- (ii) Applicant holds a current valid Arkansas driver's license;
- (iii) Applicant or parents of applicant are Arkansas taxpayers;
- (iv) Parent of applicant resides in or is employed in Arkansas; and
- (v) Applicant meets other related criteria as may be prescribed by the board.

(3) The remaining fifteen percent (15%) of the first one hundred fifty (150) freshman enrollment positions may be assigned either to legal residents or to nonresidents, however, any qualified legal resident shall have a preference in securing an assignment to a position when

compared to a nonresident, and the total number of nonresidents assigned positions shall not exceed fifteen percent (15%) of the first one hundred fifty (150) freshman enrollment positions assigned for any school year.

(4) The board may provide for an alteration in the percentages set forth in this subsection only if the adherence to these percentages would endanger the accredited rating of the University of Arkansas College of Medicine as determined by the standards of the Association of American Medical Colleges.

(c)(1) The board may provide for additional freshman enrollment positions if the University of Arkansas College of Medicine determines it is necessary to address a projected shortage of practicing physicians in the state.

(2) The additional freshman enrollment positions shall be granted to the best qualified applicants as determined by the Admissions Board of the University of Arkansas College of Medicine without regard to residency status.

(d) The selection of freshman medical students shall be accomplished competitively without any favoritism or discrimination on the basis of sex or race, and with due consideration being given scholastic standings, recommendations of the premedical advisory committees of the various schools where the applicants pursue their premedical studies, their performance on the Medical College Admission Test, and any other procedures that can be developed that would deal fairly with the applicant group as a whole.

(e)(1) The board shall promulgate rules and provide resources to allow the area health education centers to offer programs to prepare identified medical school candidates from medically underserved areas of the state for the Medical College Admission Test.

(2) Preparation for the Medical College Admission Test shall include, but not be limited to:

(A) Recruitment and guidance of individuals interested in health-care professions;

(B) Early targeting of potential candidates, including junior high school, high school, two-year college, and four-year college undergraduate students;

(C) Use of community colleges and four-year colleges and universities throughout the state to offer MedPrep and other targeted studies with the aid of video and distance learning tools; and

(D) Ensurance that everyone interested in a medical profession receives an equal opportunity for success.

History. Acts 1967, No. 59, §§ 1-3; 1977, No. 231, § 1; 1981, No. 681, § 1; A.S.A. 1947, §§ 80-2906, 80-2906.1, 80-2907; Acts 2003, No. 828, § 2; 2007, No. 836, § 1.

A.C.R.C. Notes. Acts 2003, No. 828, § 1 provided: "Findings.

"(1)(A) The University of Arkansas College of Medicine includes nonfaculty members on the fifteen (15) member admissions committee.

"(B) The Liaison Committee for Medical Education, the accrediting body for allopathic medical schools in the United

States, mandates that the admissions committee that selects applicants for admission shall be faculty members.

"(C) However, state law mandates that the fifteen (15) member College of Medicine Admissions Committee consist of both faculty and nonfaculty members, two (2) from each of the four (4) congressional districts, and one (1) member at large.

"(D) The intent of the General Assembly mandate is to provide greater committee representation from the entire state, in particular the underserved areas of Arkansas.

"(E) Each time the University of Arkansas College of Medicine is reviewed for accreditation by the Liaison Committee for Medical Education, the college is required to explain the reasons for the inclusion of nonfaculty members on the admissions committee.

"(F) The College of Medicine Admissions Committee is the only medical school admissions committee in the United States that includes nonfaculty members.

"(2)(A) Arkansas law mandates that seventy percent (70%) of the one hundred fifty (150) positions in the Freshman class each year be equally distributed among the four (4) congressional districts.

"(B) The seventy percent (70%) requirement increases the geographical distribution and number of applicants from underserved areas of the state who are accepted for admission.

"(C) The University of Arkansas College of Medicine is the only medical school in the United States that incorporates the seventy percent (70%) rule in the admissions process.

"(3)(A) Many state medical schools have programs similar to the Arkansas program whose purpose is to increase the number of physicians practicing in rural communities in the state.

"(B) Arkansas has had a program since 1949, the Arkansas Rural Medical Practice Student Loan and Scholarship Program, that provides financial incentives to medical students who contract to practice

medicine in rural communities in the state.

"(C) Medical students are given substantial amounts of loans during medical school with the contractual agreement that the loans will be converted to grants or forgiven, if they complete residency training and practice medicine in an underserved rural community in the state.

"(D) However, Act 114 of 1995 created a new program, the Community Math Student Loan and Scholarship Program, which significantly modified the existing Arkansas Rural Medical Practice Student Loan and Scholarship Program.

"(E) Act 1257 of 1995 strengthened the penalties for students who default on their contractual obligation to practice medicine in the state.

"(F) However, the unique feature of Act 1114 of 1995, a specific provision that no other medical school in the United States has, is that if an alternate on the waiting list contracts with a rural community to practice primary care in that rural community, and the application is approved by the Arkansas Rural Medical Practice Student Loan and Scholarship Board that administers the program, the alternate is advanced to the top of the waiting list and this greatly enhances the applicant's chances of being admitted to medical school.

"(G) This unique feature also applies to alternates who wish to apply for the Arkansas Rural Practice Program.

"(H) Alternates who contract to practice medicine in a rural underserved community in the state, if approved by the board, are advanced on the waiting list, just below the Community Match Alternates who are approved and advanced.

"(I) Since the program's inception in 1995, the University of Arkansas College of Medicine has had approximately one hundred twenty-five (125) physicians-in-training contract to return to underserved areas of the state to practice full time primary care medicine.

"(J) Applicants from underserved areas are typically given greater considerations for participation and approval for the rural loan and scholarship programs."

6-64-407. Admissions — Transfer students.

In considering and approving applicants for transfer to the University of Arkansas College of Medicine from other medical schools, the Board of Trustees of the University of Arkansas may give special consideration to those applicants for transfer who were born and reared and attended public school in Arkansas and who meet two (2) or more of the following criteria:

- (1) Applicant is a registered voter in Arkansas;
- (2) Applicant holds a current valid Arkansas license;
- (3) Applicant or parents of applicant are Arkansas taxpayers;
- (4) Parent of applicant resides in or is employed in Arkansas; or
- (5) Applicant meets other related criteria as may be prescribed by the board.

History. Acts 1981, No. 681, § 2; A.S.A. 1947, § 80-2906.2.

6-64-408. Fees and scholarships.

(a) The Board of Trustees of the University of Arkansas shall fix a scale of matriculation and tuition fees, in reasonable sums, and shall prescribe terms and conditions for the payment of fees.

(b) The students attending the College of Medicine of the University of Arkansas shall pay the fees, except that the board may provide honorary free scholarships in furtherance of the best interests of the college.

(c) The fees shall be collected under the direction of the board, which shall prescribe the method of collecting the fees, and when collected they shall be paid over to the financial officer of the University of Arkansas and kept as a fund for the college and shall be paid out by the orders of the board only for the use and benefit of the college.

History. Acts 1911, No. 360, § 3; C. & M. Dig., § 9583; Pope's Dig., § 13249; A.S.A. 1947, § 80-2903.

6-64-409. Family Practice Department.

(a) It is the intent of the General Assembly that the program in family practice at the University of Arkansas College of Medicine have full departmental status and that a member of the medical faculty of this department be a voting member of the Admissions Board for the University of Arkansas College of Medicine.

(b) It is the recommendation of the General Assembly that the faculty members of the Department of Family and Preventive Medicine of the University of Arkansas College of Medicine provide counseling services to any student at the institution at the request of the individual student.

(c) The Dean of the University of Arkansas College of Medicine shall submit a report, through the offices of the Chancellor for Health

Sciences and the President of the University of Arkansas, to the Governor and to the cochairs of the Legislative Council no later than September 1 of each year and covering the period of the preceding fiscal year, in which information shall be furnished as to the number of interns and residents in the various medical school programs, the number who completed the family practice program, the places where those who completed the various programs are practicing, including those in the military services, and any problems encountered in the education of students, interns, or residents in the family practice program which should be considered by the General Assembly, the Governor, or the Legislative Council.

History. Acts 1972 (1st Ex. Sess.), No. 43, §§ 3-5.

6-64-410. School of Pharmacy.

(a) The Board of Trustees of the University of Arkansas is authorized to establish an accredited School of Pharmacy at the University of Arkansas or the College of Medicine of the University of Arkansas.

(b) The board is further authorized and empowered to receive any grant, aid, gift, donation, or endowment for the use of the school and to do all things necessary for the establishment of an accredited school of pharmacy.

History. Acts 1951, No. 323, § 1; A.S.A. 1947, § 80-2858.

6-64-411. School of Dental Hygiene.

(a) There is established at the University of Arkansas for Medical Sciences Medical Center, under the direction of the Board of Trustees of the University of Arkansas, a University of Arkansas School of Dental Hygiene, which shall offer a program of clinical instruction leading to a degree or certificate in dental hygiene.

(b) The board shall establish rules governing admissions to the University of Arkansas School of Dental Hygiene, programs of instruction therein, and the qualifications and requirements for a degree or certificate. However, rules for admissions, courses or programs of clinical instruction, and degrees or certificates for graduation therefrom shall be in accordance with the standards established by the recognized national accreditation association of dental hygiene schools or programs.

(c) Any degree or certificate granted by the University of Arkansas School of Dental Hygiene shall also be in conformance with the standards for licensing as a dental hygienist under the applicable licensing laws of this state.

History. Acts 1967, No. 331, § 1; A.S.A. 1947, § 80-2878; Acts 2019, No. 315, § 384.

Amendments. The 2019 amendment deleted "and regulations" following "rules" twice in (b).

6-64-412. Chair on Alcoholism and Drug Abuse Prevention.

The University of Arkansas for Medical Sciences shall establish a Chair on Alcoholism and Drug Abuse Prevention.

History. Acts 1987, No. 639, § 1.

A.C.R.C. Notes. Former § 6-64-412, concerning chair on alcoholism and drug abuse prevention, is deemed to be superseded by this section. The former section was derived from Acts 1985, No. 1000, § 1; A.S.A. 1947, § 48-1409.1.

Acts 1987, No. 639, § 1, provided, in part, that, to assist in funding the chair, there shall be charged and collected a tax on all alcoholic beverages, as defined in § 3-9-201 et seq., sold for on-premises consumption; the tax shall be in an amount equal to three percent of the gross receipts derived from the sale of the alco-

holic beverages; the tax receipts shall be deposited as special revenues into the State Treasury and credited to the University of Arkansas Medical Center Fund to be used exclusively to help defray the cost of a Chair on Alcoholism and Drug Abuse Prevention; the tax levied shall be in effect only from July 1, 1987, through January 1, 1988, inclusive; this act gives no additional taxing authority to any municipality; and the owner of any establishment who wilfully continues to collect the tax after January 1, 1988, shall be subject to a fine of \$1,000.

6-64-413. Special allowances.

(a)(1) The Board of Trustees of the University of Arkansas is hereby authorized to make available to the President of the University of Arkansas special allowances in such amounts as the board may determine to be justified at the University of Arkansas for Medical Sciences, for the use of the Chancellor of the University of Arkansas for Medical Sciences and his or her deans, representatives, department heads, and directors at the University of Arkansas for Medical Sciences in recruitment of faculty and staff members.

(2) Upon approval by the president and the board, such funds shall be administered by the chancellor, who shall assure that the total amount expended for such purposes does not exceed one hundred fifty thousand dollars (\$150,000) each fiscal year, or so much thereof as may be authorized by the board.

(3) The funds authorized by this subsection shall come from a source other than state tax dollars appropriated by the General Assembly or charges made to students for tuition, fees, room and board, or other purposes.

(4) Each year, the chancellor shall furnish to the president, the board, and the Legislative Joint Auditing Committee a report showing for each expenditure the date, the amount, the names of persons to whom the expenditure was made, and the purpose for which the expenditure was made.

(b)(1) The board may make special allowances available in such amounts as the board may determine or justify as equitable in view of the exacting duties which are involved as a part of the salaries of the physicians, dentists, and other professional faculty employed by the

University of Arkansas for Medical Sciences from receipts of professional income in the care of patients and funds received from federal agencies, foundations, and other private sponsors in support of research.

(2) Provided, any such allowance shall not exceed for any employee an amount equal to two (2) times that portion of the salary authorized by the General Assembly to be paid from the University of Arkansas Medical Center Fund.

History. Acts 1995, No. 1099, §§ 13, 14.

6-64-414. Area health education centers.

(a) The Chancellor of the University of Arkansas for Medical Sciences shall make annual progress reports of area health education center programs to the Governor, the Legislative Council, and other interested interim committees of the General Assembly regarding the achievements and the expansion of the programs and the amounts expended for the area health education centers.

(b) The reports described in subsection (a) of this section shall also include the practice locations of the students participating in the area health education center programs.

History. Acts 1995, No. 1099, § 15; 2019, No. 986, § 33. in (a), substituted “annual for “periodic” and deleted “aforementioned” preceding

Amendments. The 2019 amendment designated the existing provisions as (a); the second occurrence of “programs”; and added (b).

6-64-415. Applicability of § 6-61-105.

The provisions of § 6-61-105 and § 6-61-106 [repealed] shall not apply to students selected to be admitted to the University of Arkansas College of Medicine or the College of Pharmacy of the University of Arkansas for Medical Sciences.

History. Acts 1995, No. 1099, § 26.

6-64-416. Establishment and administration.

(a) The University of Arkansas for Medical Sciences is authorized to create the North Central Area Health Education Center to serve the following counties: Baxter, Cleburne, Fulton, Marion, Independence, Izard, Stone, Searcy, Sharp, and Van Buren.

(b)(1) The North Central Area Health Education Center shall be administered in the same manner as other facilities in the UAMS Regional Programs, including:

(A) Training students in the fields of medicine, nursing, pharmacy, and various allied health professions with an emphasis on primary care, general health education, and basic medical care for the whole family; and

(B) Providing medical residents specializing in family practice.

(2) Programs shall be conducted to the extent that funds are available.

(c) A director of the North Central Area Health Education Center shall be appointed in the same manner as and shall have the same powers as other center directors in the programs.

(d) The programs shall have offices in Mountain Home, Batesville, and Mountain View.

History. Acts 2003, No. 197, § 1.

6-64-417. College of Nursing and College of Pharmacy program improvements.

(a) Funds received from the State Board of Collection Agencies under § 17-24-305 by the University of Arkansas for Medical Sciences and any interest earnings on the funds by the university shall be used exclusively as follows:

(1) Two-thirds ($\frac{2}{3}$) of the funds shall be used within the College of Nursing of the University of Arkansas for Medical Sciences for:

(A) Scholarships and stipends for nursing students who are candidates for bachelor's or master's degrees or degrees beyond a master's degree; and

(B) Salary improvements for purposes of retaining and attracting nursing school faculty; and

(2) One-third ($\frac{1}{3}$) of the funds shall be used within the College of Pharmacy of the University of Arkansas for Medical Sciences for:

(A) Scholarships and stipends for pharmacy students;

(B) Facility improvements required to expand the enrollment of pharmacy students; and

(C) Salary improvements for purposes of retaining and attracting pharmacy school faculty.

(b)(1) The Dean of the College of Nursing of the University of Arkansas for Medical Sciences shall allocate the funds made available to the College of Nursing of the University of Arkansas for Medical Sciences under this section.

(2) The Graduate Nurse Educator Loan and Scholarship Board shall make recommendations to the Dean of the College of Nursing of the University of Arkansas for Medical Sciences regarding the recipients of annual awards, stipends, and scholarships.

(3) A recipient of a scholarship or stipend under this subsection must be a resident of the State of Arkansas.

(c)(1) The Dean of the College of Pharmacy of the University of Arkansas for Medical Sciences shall allocate the funds made available to the College of Pharmacy of the University of Arkansas for Medical Sciences under this section.

(2) Using financial aid and academic performance data, the College of Pharmacy Awards and Financial Aid Committee will make recom-

recommendations to the faculty regarding the recipients of annual awards, stipends, and scholarships.

(3) A recipient of a stipend or scholarship under this subsection:

(A) Must be a resident of the State of Arkansas;

(B) Is not required to repay a stipend or scholarship; and

(C) Is not required to enter into any agreement with the university or the College of Pharmacy of the University of Arkansas for Medical Sciences requiring the recipient to practice pharmacy in any area of Arkansas after graduation in exchange for a stipend or scholarship.

(d) The university shall report annually the utilization of the funds received by the College of Nursing of the University of Arkansas for Medical Sciences under this section to the Legislative Council and the Arkansas Legislative Commission on Nursing.

(e) Scholarships and other awards under this section may be granted in addition to other funds awarded to a student under other scholarship and assistance programs.

History. Acts 2005, No. 2268, § 8.

A.C.R.C. Notes. Acts 2007, No. 1217, § 8, provided: "College of Nursing and College of Pharmacy program improvements.

"(a) Funds received from the State Board of Collection Agencies under § 17-24-305 by the University of Arkansas for Medical Sciences and any interest earnings on the funds by the University of Arkansas for Medical Sciences shall be used exclusively as follows:

"(1) Two-thirds ($\frac{2}{3}$) of the funds shall be used within the College of Nursing for:

"(A) Scholarships and stipends for nursing students who are candidates for bachelor's or master's degrees or degrees beyond a master's degree; and

"(B) Salary improvements for purposes of retaining and attracting nursing school faculty; and

"(2) One-third ($\frac{1}{3}$) of the funds shall be used within the College of Pharmacy for:

"(A) Scholarships and stipends for pharmacy students;

"(B) Facility improvements required to expand the enrollment of pharmacy students; and

"(C) Salary improvements for purposes of retaining and attracting pharmacy school faculty.

"(b)(1) The Dean of the University of Arkansas for Medical Sciences College of Nursing shall allocate the funds made available to the College of Nursing under this section

"(2) The Graduate Nurse Educator Loan and Scholarship Board shall make

recommendations to the dean regarding the recipients of annual awards, stipends, and scholarships.

"(3) A recipient of a scholarship or stipend under this subsection (b) must be a resident of the State of Arkansas.

"(c)(1) The Dean of the University of Arkansas for Medical Sciences College of Pharmacy shall allocate the funds made available to the College of Pharmacy under this section.

"(2) Using financial aid and academic performance data, the University of Arkansas for Medical Sciences College of Pharmacy Awards and Financial Aid Committee will make recommendations to the faculty regarding the recipients of annual awards, stipends, and scholarships.

"(3) A recipient of a stipend or scholarship under this subsection (c):

"(A) Must be a resident of the State of Arkansas;

"(B) Is not required to repay a stipend or scholarship; and

"(C) Is not required to enter into any agreement with the university or College of Pharmacy requiring the recipient to practice pharmacy in any area of Arkansas after graduation in exchange for a stipend or scholarship.

"(d) The University of Arkansas for Medical Sciences shall report annually the utilization of the funds received by the College of Nursing under this section to the Legislative Council and the Arkansas Legislative Commission on Nursing.

“(e) Scholarships and other awards under this section may be granted in addition to other funds awarded to a student

under other scholarship and assistance programs.”

6-64-418. College of Public Health collaboration.

It is recommended that the Department of Health Behavior and Health Education of the Fay W. Boozman College of Public Health of the University of Arkansas for Medical Sciences collaborate with each education service cooperative, community health agencies, school nurses, school counselors, and educators employed in public and private schools to introduce age-appropriate, research-supported, child abuse prevention curriculum to and on behalf of the children of Arkansas in the public and private schools.

History. Acts 2007, No. 703, § 4; 2013, No. 1086, § 5.

6-64-419. Adult Sickle Cell Clinic of the University of Arkansas for Medical Sciences.

(a)(1) The Adult Sickle Cell Clinic of the University of Arkansas for Medical Sciences is created.

(2) The clinic shall be a comprehensive clinic at which adults in Arkansas with sickle cell anemia may receive specialty care, including without limitation:

- (A) Advanced, specialized health care;
- (B) Preventive health care; and
- (C) Local healthcare provider support.

(b) The clinic shall provide services, including without limitation:

(1)(A) An annual visit for comprehensive diagnosis and treatment for adult patients with sickle cell anemia from all over the state.

(B) A patient with more severe complications from sickle cell anemia may receive more frequent treatment as needed;

(2)(A) On the basis of each comprehensive visit under subdivision

(b)(1) of this section, a care plan for that patient is developed to serve as a blueprint for the patient's medical care throughout the year.

(B) For acute medical events, treatment under this section shall be based on the care plan created under subdivision (b)(2)(A) of this section as the guide for management of sickle cell anemia and complications of sickle cell anemia;

(3) Designing a training program regarding sickle cell anemia and complications of sickle cell anemia for:

- (A) Physicians, nurses, and social workers throughout the state;
- (B) Medical students and residents;
- (C) Healthcare providers; and
- (D) Healthcare provider students;

(4) Through the Institute for Digital Health and Innovation of the University of Arkansas for Medical Sciences, training and case consultation with healthcare providers across the state; and

(5) A program to:

- (A) Track adult patients with sickle cell anemia; and
- (B) Measure the effectiveness of the clinic.

(c)(1) The clinic shall make staff personnel available to primary care physicians and medical staff of area health education centers for consultation regarding sickle cell anemia and complications of sickle cell anemia as needed.

(2) A nurse practitioner employed in this clinic shall be available twenty-four (24) hours per day, seven (7) days per week to receive and respond to telephone calls from physicians or patients regarding sickle cell anemia and complications of sickle cell anemia.

(3) A social worker shall assist patients with sickle cell anemia and their families in finding ways to meet the needs of the patient and his or her family, including without limitation:

- (A) Health-related expenses not covered by insurance plans;
- (B) Transportation costs;
- (C) Employment options; and
- (D) Social and emotional support.

(4) A grassroots community coordinator shall connect the clinic to other healthcare providers around the state and help connect patients with the clinic.

History. Acts 2011, No. 909, § 1.

6-64-420. UAMS Adult Sickle Cell Disease Program.

(a) There is hereby established a new program for the comprehensive care of adult sickle cell disease to be known as the University of Arkansas for Medical Sciences Adult Sickle Cell Disease Program.

(b) The program will facilitate the continued development of adult sickle cell disease treatment, preventive care, education, and training for healthcare professionals and related personnel utilizing the University of Arkansas for Medical Sciences' Regional Centers throughout the state and the Institute for Digital Health and Innovation of the University of Arkansas for Medical Sciences.

(c) Funding for the program will be from general revenue and cash funds from fees for services, donations, grants, and federal funds.

(d) The University of Arkansas for Medical Sciences will not assume responsibility for funding the program until such time as the General Assembly appropriates and funds the program.

History. Acts 2011, No. 1078, § 23.

6-64-421. Center for Dental Education.

(a)(1) There is established a new center in Arkansas for dental education in cooperation with the University of Tennessee Health Science Center College of Dentistry, the University of Arkansas for Medical Sciences, and Arkansas Children's Hospital.

(2) The center shall be known as the University of Arkansas for Medical Sciences Center for Dental Education.

(b) The center will facilitate the continued development of dental education, its specialties, and services for the citizens of Arkansas.

History. Acts 2011, No. 981, § 18.

6-64-422. Advanced practice nurses at area health education center.

(a) The University of Arkansas for Medical Sciences may create a program to:

(1) Train licensed advanced practice nurses for programs operated through area health education centers; and

(2) Employ advanced practice nurses as employees of an area health education center.

(b) A licensed advanced practice nurse with prescriptive authority in training in or employed by an area health education center shall sign a collaborative practice agreement with a physician licensed by the Arkansas State Medical Board.

(c) A collaborative practice agreement under this section shall comply with § 17-87-310 and shall specify without limitation:

(1) The relationships among the physician, the area health education center, and the advanced practice nurse; and

(2) That the licensed advanced practice nurse:

(A) Shall complete the training required to become an advanced practice nurse employee of the area health education center; and

(B) Employee advanced practice nurse, the location within the area served by the area health education center at which the advanced practice nurse will practice.

History. Acts 2011, No. 1167, § 1.

SUBCHAPTER 5 — STATE MEDICAL CENTER — ADMISSION OF PATIENTS

SECTION.

6-64-501. Purpose of subchapter.

6-64-502. Admission of other patients not affected by subchapter.

6-64-503. Medical indigents — Determination of status.

6-64-504. Admission as medical indigent — Certification procedure.

6-64-505. Medical indigents — Quota of patients from counties and municipalities.

SECTION.

6-64-506. Medical indigents — Patients not charged against quotas.

6-64-507. Medical indigents — Charges for costs in excess of quota — Payment or collection.

6-64-508. Medical indigents — Collections from patients.

6-64-509. Admissions of paying patients.

Preambles. Acts 1959, No. 259 contained a preamble which read: "Whereas, the Medical Center of the University of

Arkansas, Little Rock, Arkansas, is a state institution supported from revenues derived from state taxes collected

throughout the state; and

“Whereas, the use of the hospital, clinic and emergency facilities of such Center has been disproportionate according to the population resident in the several counties and municipalities of the state in that certain counties and municipalities

have utilized said Center to the degree that other counties and municipalities will be denied fair use of the state institution unless additional facilities be made available;

“Now, therefore”

CASE NOTES

Standards of Indigency.

Nothing in this subchapter mandates that a hospital adopt standards for determining medical indigency based upon the patient's ability to pay which follow national and local guidelines, since this sub-

chapter plainly lacks language making it incumbent on a hospital to adopt specific standards. *Hubbard v. University of Ark. Medical Sciences*, 272 Ark. 500, 616 S.W.2d 10 (1981).

6-64-501. Purpose of subchapter.

It is the purpose and intent of this subchapter to provide for a fair and equitable apportionment for the use of the facilities and services of the State Medical Center among the various counties of this state, and among all cities having in excess of ten thousand (10,000) population for the treatment of medical indigents, and to provide a method and procedure for charging such counties, and cities having over ten thousand (10,000) population, for services received by medical indigents at the medical center in excess of the allowed quotas.

History. Acts 1959, No. 259, § 4; A.S.A. 1947, § 80-2925.

CASE NOTES

In General.

The basic purpose of this subchapter is not to require standards of indigency, but to establish a quota system to distribute proportionately the cost of indigent care

among the counties, using population as a basis. *Hubbard v. University of Ark. Medical Sciences*, 272 Ark. 500, 616 S.W.2d 10 (1981).

6-64-502. Admission of other patients not affected by subchapter.

Nothing in this subchapter shall be construed to interfere with the admission of patients at the State Medical Center who have the ability to pay for medical care received, nor shall this subchapter interfere with or affect the admission of welfare patients at the medical center where the cost of such care is paid by the Department of Human Services according to an approved plan for medical care and hospitalization established for public welfare patients by the department.

History. Acts 1959, No. 259, § 2; 1963, No. 183, § 2; A.S.A. 1947, § 80-2923.

6-64-503. Medical indigents — Determination of status.

(a) As used in this subchapter, unless the context otherwise requires, medical indigents shall include all residents of this state who are unable to pay part or all of the cost of necessary medical and hospital services, but shall not include any person for whom medical and hospital services are paid by the Department of Human Services.

(b) Each county judge or chief administrative officer of a municipality affected by this subchapter is authorized to establish necessary rules to be followed in determining medical indigency of persons seeking admission to the medical center under the provisions of this subchapter.

History. Acts 1959, No. 259, § 4; A.S.A. 1947, § 80-2925.

CASE NOTES**Standards of Indigency.**

This subchapter does not mandate that a hospital adopt standards for determining medical indigency based upon the patient's ability to pay which follow national and local guidelines, since this subchapter plainly lacks language making it incumbent on a hospital to adopt specific standards. *Hubbard v. University of Ark. Medical Sciences*, 272 Ark. 500, 616 S.W.2d 10 (1981).

This section authorizes, but does not direct, county judges or chief administrative officers of municipalities to establish rules in determining medical indigency, and this is the mere delegation of authority. *Hubbard v. University of Ark. Medical Sciences*, 272 Ark. 500, 616 S.W.2d 10 (1981).

6-64-504. Admission as medical indigent — Certification procedure.

(a)(1) In all cases where a resident of a county or municipality assigned a quota in § 6-64-505 seeks to use the quota to defray any part of the expense of his or her medical service, including hospitalization, at the State Medical Center, the resident must first have been determined by his or her county judge or chief administrative officer of his or her municipality to be unable to pay for all or any part of the service.

(2) The county judge or chief administrative officer may then certify in writing that the resident is eligible for such care.

(3) There shall be no charge made against the county or municipality for medical care until the person shall be so certified, unless the certification is waived as authorized in this section.

(b)(1)(A) The county judge or chief administrative officer may elect to waive the above certification procedure, except that such waiver shall not apply to counties or cities which, in the preceding year, have recorded a total of two thousand (2,000) or more patient days at the medical center. In such event, individual certification of patients will be required as a prerequisite to admission of such patients to the medical center hospital.

(B) In counties and cities where waiver of individual certification is applicable, individual certification of patients will be required in all cases where the hospitalization of the patient would cause the current month's quota to be exceeded.

(2) The judge or officer waiving the certification procedure must so notify the medical center in writing.

(3) It shall be the duty of the medical center to notify the county judge or administrative officer at the time the rate of use of his or her county or municipal quota shall have been exceeded. However, any county, or municipality of over ten thousand (10,000) population, may enter into an agreement in writing with the medical center for the admission of medical indigents with acute emergency conditions to be charged against the quota of such county or city without requiring the certification procedure mentioned above.

(c) Certification of patients by any municipality or county may be by telephone if the date of the telephone conversation, the name of the county judge, or chief administrative officer of the city, authorizing the certification, and all other necessary information is reduced to writing by the appropriate official of the medical center and maintained in a file as a public record.

(d)(1) Any person certified to the medical center as a medical indigent who has the ability to pay for a part of the cost of the medical or hospital care received shall pay such part of the cost of care received and that amount paid shall be allowed as a credit against any charge against the county or municipality for such service during the calendar month in which payment is received.

(2) In the case of those medical indigents who are able to pay a part of the cost of their medical and hospital care, such fact shall be so stated in the certification from the county or city, which certification may include an estimate of the portion of medical and hospital costs the patient is able to pay, if any.

(e)(1) In the case of any county having one (1) or more cities of over ten thousand (10,000) population therein, the county judge of the county and the chief administrative officer of each such city may enter into an agreement for the establishment of a central certifying office from which all patients admitted to the State Medical Center as medical indigents from such county and the cities therein shall be certified.

(2) Upon the establishment of such a central certifying office, notice thereof shall be given to the Chancellor for Health Sciences, and all patients certified to the State Medical Center from such county or any city of ten thousand (10,000) or over population therein shall be charged against the quota of such county or city, as the case may be.

(f) The Department of Human Services shall assist any county or municipality affected by this subchapter, upon request therefor, in determining the economic status of any person seeking admission to the medical center as a medical indigent.

(g) It also shall be the duty of the medical center to investigate the ability of the patient or others chargeable with his or her support to pay

the expense of the treatment and care rendered, taking into consideration the recommendation of the certifying official of the county or municipality involved.

History. Acts 1959, No. 259, § 2; 1963, No. 183, § 2; A.S.A. 1947, § 80-2923.

6-64-505. Medical indigents — Quota of patients from counties and municipalities.

(a) There is assigned and made available to each county in Arkansas the following quotas of medical services, including hospitalization, at the University of Arkansas Medical Center, herein referred to as the State Medical Center, to be utilized by the citizens of the respective counties and the municipalities therein according to the provisions of §§ 6-64-502, 6-64-504, 6-64-506, and 6-64-508.

(b) The quotas shall be computed as follows:

(1) HOSPITAL QUOTA.

(A) Annually, on or before July 1, the Board of Trustees of the University of Arkansas shall certify to the Chancellor for Health Sciences of the University of Arkansas the total number of hospital beds estimated to be available for use, based upon funds available, during the next twelve-month period at the State Medical Center.

(B) The chancellor shall then multiply the total available beds so certified by three hundred sixty-five (365), the days in the year, and multiply the result thereof by eighty-five percent (85%), which is determined by the General Assembly as being the average normal occupancy of hospital beds to be expected by a hospital of this type. The result of such calculations shall be the net annual patient-day usage of the State Medical Center for the next twelve (12) months.

(C) The chancellor shall then prorate the net annual patient-day usage of the State Medical Center among the counties of this state in proportion to each county that the population of such county bears to the total population of all the counties of this state according to the most recent federal census figures available at the time of the annual calculation of the quota. The pro rata apportionment shall be the annual quota of hospital usage at the State Medical Center for each county; and

(2) QUOTAS OF CITIES OF OVER 10,000 POPULATION. Each city of this state having a population of over ten thousand (10,000) according to the most recent federal census figures available at the time of figuring annual quotas under this subchapter shall be assigned an annual proportionate quota of hospital usage assigned to the county in which any such city is located, which city quota shall be computed in the proportion that the population of the city bears to the population of the county. The quotas assigned to any city of over ten thousand (10,000) population of hospital usage at the State Medical Center shall be deducted from the quota assigned to the county in which the city is located.

History. Acts 1959, No. 259, § 1; 1963, No. 183, § 1; A.S.A. 1947, § 80-2922.

CASE NOTES

Constitutionality.

Former similar law held unconstitutional where a city was singled out and included with the list of counties with an assigned quota. Since the effect of the law was to give preferential treatment to that

city and its county, the law was invalid as special and local legislation. *Board of Trustees v. Pulaski County*, 229 Ark. 370, 315 S.W.2d 879 (1958) (decision under prior law).

6-64-506. Medical indigents — Patients not charged against quotas.

Any patient admitted to the State Medical Center as a public welfare patient certified by the Department of Human Services, or any patient admitted to the State Medical Center who on admittance can guarantee, either by hospitalization insurance or cash deposit, at least fifty percent (50%) of the anticipated costs of treatment, shall not be charged against the quota of any county or municipality established pursuant to this subchapter.

History. Acts 1959, No. 259, § 2; 1963, No. 183, § 2; A.S.A. 1947, § 80-2923.

6-64-507. Medical indigents — Charges for costs in excess of quota — Payment or collection.

(a) The actual cost of hospitalization utilized in any calendar month at the State Medical Center by medical indigents as determined as provided in § 6-64-503 which is in excess of the dollar value at prevailing average per diem cost of one-twelfth ($\frac{1}{12}$) of the quotas set out in § 6-64-505 shall be charged to the county in which the recipient of the medical service resides or, in case a quota is assigned to the municipality in which the recipient resides, to the municipality.

(b)(1) No unused quota amounts remaining in any month may thereafter be used as a credit against charges in any other month.

(2) Furthermore, no unused portion of a quota during any month by any county shall be allowed as a credit against any other county that may have exceeded its quota during such month.

(c)(1) Each thirty (30) days a statement of charges due to the State Medical Center shall be mailed to the county judge or chief administrative officer of the municipality for the net cost of excess services, as defined in subsection (a) of this section, rendered during the calendar month preceding.

(2) Whenever the county or municipality fails to pay to the State Medical Center, within thirty (30) days, the net charges billed to the county or municipality for services in excess of the quotas established in § 6-64-505, the medical center shall make a certification to the Treasurer of State setting forth the names of the county or municipality as the case may be, the amount owed by the county or municipal

corporation, and the period during which the unpaid debt shall have accrued.

(3) Upon receipt of the certification, the Treasurer of State shall withhold from such moneys as would otherwise be due such county or municipality from the general revenues of this state the amount needed to liquidate the debt and transfer the amount thereof to the University of Arkansas Medical Center Fund. Any remaining balance of such general revenues which would otherwise have been payable to the county or municipality shall be paid to such county or municipality as in the instance in which no withholding was made.

History. Acts 1959, No. 259, §§ 2, 3; 1963, No. 183, § 2; A.S.A. 1947, §§ 80-2923, 80-2924.

6-64-508. Medical indigents — Collections from patients.

(a) It further shall be the duty of the University of Arkansas for Medical Sciences Medical Center to collect fees from patients in all cases where it is established that the patient is able to pay, either through insurance coverage or his or her own resources, a part or all of the medical or hospital costs incurred.

(b) Billings to patients shall be made on a periodic basis.

(c) In cases of willful refusal to pay, the medical center is directed to take whatever legal action is necessary to satisfy the account.

History. Acts 1959, No. 259, § 2; 1963, No. 183, § 2; A.S.A. 1947, § 80-2923.

6-64-509. Admissions of paying patients.

(a) For the purpose of improving the teaching program of the University of Arkansas College of Medicine and to provide a source of additional funds for the operation of the State Medical Center, the medical center is authorized and directed to admit for medical treatment persons who have the economic ability to pay for hospital and medical services rendered. However, before any such person shall be admitted for treatment as a paying patient, such person shall have agreed in writing for the supervised observation of his or her case by medical students of the University of Arkansas College of Medicine.

(b) The State Medical Center, with the approval of the Board of Trustees of the University of Arkansas, shall establish a system of charges to be paid by paying patients for hospital and medical care rendered such paying patients at the medical center. If any person with ability to pay shall fail or refuse to pay for the cost of hospital and medical care received at the medical center, the medical center shall institute appropriate legal proceedings for the collection of the cost.

(c) Nothing in this section shall be construed to prohibit or limit the admission and treatment of charity or medical indigent patients at the medical center as may be authorized by law.

History. Acts 1959, No. 192, § 1; A.S.A. 1947, § 80-2926.

SUBCHAPTER 6 — SCHOOL OF LAW

SECTION.

- 6-64-601. Construction — Subchapter exclusive authority.
- 6-64-602. Establishment — Name.
- 6-64-603. [Repealed.]
- 6-64-604. State Legal Education Fund generally — Definitions.
- 6-64-605. Levy of costs — Cash funds.
- 6-64-606. Levy of costs — Use and priorities of funds collected.
- 6-64-607. Financing authority.
- 6-64-608. Bonds — Authorizing resolution — Trust indenture.
- 6-64-609. Bonds — Terms and conditions.
- 6-64-610. Bonds — Execution and seal.
- 6-64-611. Bonds — Liability.
- 6-64-612. Bonds — Pledge of costs levied by subchapter.

SECTION.

- 6-64-613. Bonds — Contract with holders and owner.
- 6-64-614. Bonds — Tax exemption.
- 6-64-615. Bonds — Investment of funds of retirement or pension systems.
- 6-64-616. Bonds — Construction fund.
- 6-64-617. Bonds — Use of excess costs.
- 6-64-618. Outstanding bonds — Change in costs for payments.
- 6-64-619. Refunding bonds.
- 6-64-620. Construction of legal education facilities — Employment of professionals.
- 6-64-621. Evening law school division.

Effective Dates. Acts 1973, No. 207, § 17: Mar. 2, 1973. Emergency clause provided: "It has been found and it is hereby declared by the General Assembly of the State of Arkansas that there are not available sufficient moneys to accomplish the improvement of legal education in this State and that the immediate improvement of legal education in this State is essential to the improvement of the administration of justice in this State and to the continued welfare and development of this State and her inhabitants. Therefore, an emergency is declared to exist, and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1975, No. 19, § 4: July 1, 1975. Emergency clause provided: "It is hereby found and determined by the Seventieth

General Assembly that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1975 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1975 could work irreparable harm upon the proper administration and providing of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health, and safety shall be in full force and effect from and after July 1, 1975."

Acts 1977, No. 245, § 2: July 1, 1977.

6-64-601. Construction — Subchapter exclusive authority.

- (a) This subchapter shall be construed liberally.
- (b) The enumeration of any object, purpose, power, manner, method, and thing shall not be deemed to exclude like or similar objects, purposes, powers, manners, methods, and things.

(c) This subchapter shall be the sole authority required for the accomplishment of the purposes of this subchapter.

History. Acts 1973, No. 207, § 14;
A.S.A. 1947, § 80-2890.13.

6-64-602. Establishment — Name.

There is established a full-time law school, to be operated in Little Rock, Pulaski County, Arkansas, under the control and direction of the University of Arkansas at Little Rock, to be known as the University of Arkansas at Little Rock William H. Bowen School of Law, and to offer classes of legal instruction both in the daytime and in the evening.

History. Acts 1969, No. 262, § 1; 1975,
No. 19, § 1; A.S.A. 1947, § 80-2883.

6-64-603. [Repealed.]

A.C.R.C. Notes. The repeal of this section by Acts 1995, No. 1256, has been deemed to supersede its amendment by Acts 1995, No. 1296. Acts 1995, No. 1296, § 35, made stylistic changes in (a)(1).

Publisher's Notes. This section, concerning the Legal Education Fund, was

repealed by Acts 1995, No. 1256, § 20, as amended by Acts 1995 (1st Ex. Sess.), No. 13, § 4. The section was derived from Acts 1973, No. 207, §§ 1, 8; 1977, No. 245, § 1; A.S.A. 1947, §§ 80-2890, 80-2890.7; Acts 1989, No. 543, § 1; 1991, No. 904, §§ 2, 20; 1995, No. 1296, § 35.

6-64-604. State Legal Education Fund generally — Definitions.

(a) As used in this subchapter:

(1) "State Legal Education Fund" means the University of Arkansas at Fayetteville Legal Education Fund and the University of Arkansas at Little Rock Legal Education Fund, respectively, and the moneys credited to each of the funds shall be used in connection with the legal education program of the University of Arkansas at Fayetteville School of Law and the University of Arkansas at Little Rock William H. Bowen School of Law; and

(2) "University" means the University of Arkansas at Fayetteville School of Law and the University of Arkansas at Little Rock William H. Bowen School of Law, respectively.

(b) All collections of the costs levied by this subchapter shall be paid by the collecting officer to the county treasurer and by the county treasurer credited on his or her records to a fund to be designated and known as the legal education fund.

(c) On the tenth day of the next succeeding month, the county treasurer shall remit by check all such collections to the Board of Trustees of the University of Arkansas, for credit to the following funds:

(1) Fifty percent (50%) thereof to the University of Arkansas at Fayetteville Legal Education Fund; and

(2) Fifty percent (50%) thereof to the University of Arkansas at Little Rock Legal Education Fund.

History. Acts 1973, No. 207, § 1; 1977, No. 245, § 1; A.S.A. 1947, § 80-2890.

6-64-605. Levy of costs — Cash funds.

(a) All collections of the costs levied by this subchapter are specifically declared to be cash funds, restricted in their use and dedicated and to be used solely as provided in this subchapter.

(b) The moneys shall not be deposited into the State Treasury but shall be deposited by the Board of Trustees of the University of Arkansas as and when received, and in such bank as the board may from time to time select, to the credit of the State Legal Education Fund, and applied for the purposes authorized by this subchapter.

History. Acts 1973, No. 207, § 2; A.S.A. 1947, § 80-2890.1.

6-64-606. Levy of costs — Use and priorities of funds collected.

(a) All collections of the costs levied by this subchapter shall be used by the Board of Trustees of the University of Arkansas solely for purposes of legal education, including academic, clinical, and continuing education, operated under the auspices and academic administration of the Schools of Law, including, without limitation, financing the costs of:

(1) The construction, expansion, improvement, or equipping of buildings and facilities for legal education on the sites owned by the board and located in or near the City of Fayetteville, Arkansas, or the City of Little Rock, Arkansas; and

(2) The operation of legal education programs.

(b) In determining the needs of legal education in Arkansas and in allocating funds to meet these needs from the levying of costs as provided in this subchapter, including funds derived from revenue bonds authorized in this subchapter, the board shall give first priority to the upgrading and maintenance of the University of Arkansas at Fayetteville School of Law to the end that such school, as quickly as funds permit, shall become a first-class quality law school in the physical facilities, library content, faculty, administration, and operating program.

History. Acts 1973, No. 207, § 3; A.S.A. 1947, § 80-2890.2.

6-64-607. Financing authority.

The Board of Trustees of the University of Arkansas is authorized and empowered to issue revenue bonds from time to time in sufficient principal amounts and to use the proceeds of the bonds, together with any other available funds, for defraying the costs of accomplishing the purposes set forth in § 6-64-606(a)(1), paying all incidental expenses in connection therewith, paying the expenses of authorizing and issuing

bonds, creating debt service reserves to secure the payment of the bonds, if the board deems that desirable, and making provision for the payment of interest on the bonds during construction, if the board deems that desirable.

History. Acts 1973, No. 207, § 4; A.S.A. 1947, § 80-2890.3.

6-64-608. Bonds — Authorizing resolution — Trust indenture.

(a) The bonds shall be authorized by authorizing resolution of the Board of Trustees of the University of Arkansas.

(b) The authorizing resolution may contain or may provide for the execution with a bank or trust company within or without the State of Arkansas of a trust indenture which may contain any other terms, covenants, and conditions that are deemed desirable by the board, including, without limitation, those pertaining to:

- (1) The maintenance of various funds and reserves;
- (2) The nature and extent of the security;
- (3) The issuance of additional bonds and the nature of the lien and pledge in that event;
- (4) The custody and application of the proceeds of the bonds;
- (5) The collection and disposition of revenues;
- (6) The investing and reinvesting, in securities specified by the board, of any moneys during periods when the moneys are not needed for authorized purposes; and
- (7) The rights, duties, and obligations of the board and of the holders and registered owners of the bonds.

History. Acts 1973, No. 207, § 4; A.S.A. 1947, § 80-2890.3.

6-64-609. Bonds — Terms and conditions.

(a) The bonds may be coupon bonds, payable to bearer, or may be registrable as to principal only or as to principal and interest, and may be made exchangeable for bonds of another denomination, may be in such form and denomination, may have such date or dates, may be stated to mature at such times, may bear interest payable at such times and at such rate or rates not exceeding ten percent (10%) per annum, may be made payable at such places within or without the State of Arkansas, may be sold by such method, may be made subject to such terms of redemption in advance of maturity at such prices, and may contain such terms and conditions, all as the Board of Trustees of the University of Arkansas shall determine.

(b) The bonds shall have all the qualities of negotiable instruments under the laws of the State of Arkansas, subject to provisions as to registration, as set forth above.

History. Acts 1973, No. 207, § 4; A.S.A. 1947, § 80-2890.3; Acts 1989, No. 679, § 1.

6-64-610. Bonds — Execution and seal.

(a)(1) The bonds shall be executed by the manual or facsimile signature of the chair of the Board of Trustees of the University of Arkansas and by the manual signature of the secretary of the board.

(2) The coupons attached to the bonds shall be executed by the facsimile signature of the chair of the board.

(b) In case any of the officers whose signatures appear on the bonds or coupons shall cease to hold those offices before the delivery of the bonds or coupons, their signatures, nevertheless, shall be valid and sufficient for all purposes.

(c) Each bond shall be sealed with the seal of the university.

History. Acts 1973, No. 207, § 4; A.S.A. 1947, § 80-2890.3.

6-64-611. Bonds — Liability.

(a) It shall be plainly stated on the face of each bond that:

(1) It has been issued under the provisions of this subchapter;

(2) The bonds shall be obligations only of the Board of Trustees of the University of Arkansas;

(3) In no event shall they constitute an indebtedness for which the faith and credit of the State of Arkansas or any of its revenues are pledged; and

(4) The bonds are not secured by a mortgage or lien on any land or buildings belonging to the board or the State of Arkansas.

(b) No member of the board shall be personally liable on the bonds or for any damages sustained by anyone in connection with any contracts entered into in carrying out the purposes and intent of this subchapter unless he or she shall have acted with a corrupt intent.

History. Acts 1973, No. 207, § 5; A.S.A. 1947, § 80-2890.4.

6-64-612. Bonds — Pledge of costs levied by subchapter.

(a) The bonds, principal and interest, shall be special obligations of the Board of Trustees of the University of Arkansas secured by and payable from a pledge of all or a portion of the collections of the costs levied by this subchapter.

(b) The pledge of bonds shall constitute a prior pledge of, and claim on, such costs over any other claim arising out of, or pertaining to, any other authorized use of collections of such costs as specified in § 6-64-606.

(c) The bonds, principal and interest, shall not be secured by a pledge of any other appropriated funds or cash funds of the board or the university.

History. Acts 1973, No. 207, § 5; A.S.A. 1947, § 80-2890.4.

6-64-613. Bonds — Contract with holders and owner.

(a) Any authorizing resolution and trust indenture, together with this subchapter, shall constitute a contract between the Board of Trustees of the University of Arkansas and the holders and registered owners of the bonds.

(b) The contract and all covenants, agreements, and obligations therein shall be promptly performed in strict compliance with the terms and provisions of the contract.

(c) The covenants, agreements, and obligations of the board may be enforced by mandamus or other appropriate proceedings at law or in equity.

History. Acts 1973, No. 207, § 6; A.S.A. 1947, § 80-2890.5.

6-64-614. Bonds — Tax exemption.

The principal and interest of bonds issued under this subchapter shall be exempt from all state, county, and municipal taxes, and the exemption shall include income, inheritance, and estate taxes.

History. Acts 1973, No. 207, § 9; A.S.A. 1947, § 80-2890.8.

A.C.R.C. Notes. Language excluding property taxes from the exemption provided by this section was deleted pursuant to Arkansas Constitution, Amendment 57, § 1 and § 26-3-302. Arkansas Constitution, Amendment 57, § 1 provides that the General Assembly may classify intangible personal property for assessment at

lower percentages of value than other property and may exempt one or more classes of intangible personal property from taxation, or may provide for the taxation of intangible personal property on a basis other than ad valorem. Section 26-3-302 exempts all intangible personal property in this state from all ad valorem tax levies of counties, cities, and school districts in the state as of January 1, 1976.

6-64-615. Bonds — Investment of funds of retirement or pension systems.

The board of trustees of any retirement or pension system created by the General Assembly of the State of Arkansas, in its discretion, may invest its funds in bonds issued under this subchapter.

History. Acts 1973, No. 207, § 10; A.S.A. 1947, § 80-2890.9.

Publisher's Notes. Acts 1977, No. 793, § 11, provided, in part, that after July 1, 1977, the authority of public retirement systems to invest in bonds, pursuant to

this section should be construed to authorize the making of such investments only in accordance with procedures established by T. 24, ch. 3 with respect to the systems governed by T. 24, ch. 3.

6-64-616. Bonds — Construction fund.

(a) The Board of Trustees of the University of Arkansas shall include necessary provisions in the authorizing resolution or trust indenture to require the deposit of the proceeds of each bond issue, except the accrued interest, which shall be deposited into the bond fund, into a special construction fund which shall be a trust fund in such depository as the board shall designate.

(b) The depository shall be a member of the Federal Deposit Insurance Corporation, and all moneys in excess of the amount insured by the Federal Deposit Insurance Corporation must be secured by direct obligations of the United States unless invested in securities specified by the board.

(c) The moneys in the construction fund shall be used solely for the purposes set forth in § 6-64-606.

History. Acts 1973, No. 207, § 12;
A.S.A. 1947, § 80-2890.11.

6-64-617. Bonds — Use of excess costs.

Subject to the provisions of any authorizing resolution or trust indenture securing payment of any bonds outstanding under this subchapter, collections of the costs levied by this subchapter in excess of the amounts necessary to provide for the payment of bonds, including principal and interest, may be used as determined by the Board of Trustees of the University of Arkansas from time to time for accomplishing any purposes set forth in § 6-64-606.

History. Acts 1973, No. 207, § 5; A.S.A.
1947, § 80-2890.4.

6-64-618. Outstanding bonds — Change in costs for payments.

So long as there are outstanding any bonds to which collections of the costs levied by this subchapter are pledged, the General Assembly may eliminate, modify, or otherwise change the costs levied by this subchapter. These changes may be made only on the condition that there is always maintained in effect and made available for the payment of outstanding bonds sources of revenue which produce revenues at least sufficient in amount to provide for the payment of the principal of and interest on the outstanding bonds and to comply with all covenants, including, without limitation, the maintenance of funds and reserves, in favor of the holders or registered owners of the outstanding bonds or the trustee for the holders or registered owners of the outstanding bonds.

History. Acts 1973, No. 207, § 7; A.S.A.
1947, § 80-2890.6.

6-64-619. Refunding bonds.

(a) Bonds may be issued for the purpose of refunding any bonds issued under this subchapter.

(b)(1) Refunding bonds may either be sold or delivered in exchange for the bonds being refunded.

(2) If sold, the proceeds may be either applied to the payment of the bonds being refunded or deposited in trust and there maintained in cash or investments for the retirement of the bonds being refunded as shall be specified by the Board of Trustees of the University of Arkansas in the resolution or trust indenture securing the refunding bonds.

(c) The resolution or trust indenture securing the refunding bonds may provide that the refunding bonds shall have the same priority of pledge as was enjoyed by the bonds refunded.

(d) Refunding bonds shall be sold and secured in accordance with the provisions of this subchapter pertaining to the sale and security of bonds.

History. Acts 1973, No. 207, § 13;
A.S.A. 1947, § 80-2890.12.

6-64-620. Construction of legal education facilities — Employment of professionals.

(a) The Board of Trustees of the University of Arkansas is authorized to employ architects to prepare plans, specifications, and estimates of cost for the construction of legal education facilities and to supervise and inspect the construction.

(b) After the board has approved the plans and specifications prepared by the architect, it shall proceed to advertise for bids and contract for the construction of the public buildings in accordance with applicable laws governing the construction of public buildings.

(c) In addition, the board is authorized to engage and pay such professional, technical, and other help as it shall determine to be necessary or desirable in assisting it to carry out effectively the authorities, functions, powers, and duties conferred and imposed upon it by this subchapter.

History. Acts 1973, No. 207, § 11;
A.S.A. 1947, § 80-2890.10.

6-64-621. Evening law school division.

The Board of Trustees of the University of Arkansas is directed and authorized to establish and operate at Little Rock, Arkansas, an evening division of its school of law as an expansion of its program of legal instruction, research, and extension.

History. Acts 1965, No. 525, § 10.

SUBCHAPTER 7 — DIVISION OF AGRICULTURE OF THE UNIVERSITY OF ARKANSAS

SECTION.

- 6-64-701. Acceptance of federal aid.
 6-64-702 — 6-64-712. [Repealed.]
 6-64-713. Authority to make contract with United States Government.
 6-64-714. Cooperation with federal agencies — Reporting by state unaffected.

SECTION.

- 6-64-715. Use of material and information.
 6-64-716. Division of Agriculture.
 6-64-717. Research and extension offices, facilities, centers, and stations.
 6-64-718. Preservation of Pine Tree Research Station.

Cross References. Soil conservation, university as agent for federal act, § 15-21-401 et seq.

Preambles. Acts 1921, No. 542 contained a preamble which read: "Whereas, the Federal Government makes an annual appropriation to the Bureau of Soils of the United States Department of Agriculture for soil survey work; and,

"Whereas, said bureau has offered and agreed to cooperate with the State of Arkansas through the State Experiment Station in such work and to furnish and pay expenses of men to do such work provided the State can furnish an equal number of men to take care of the expenses of soil analysis and other incidental expenses; and,

"Whereas, a thorough scientific soil survey is the basis for further investigation of soil need, maintenance of fertility, and methods of handling soils and growing crops;

"Therefore ... "

Acts 1935, No. 127 contained a preamble which read: "Whereas, sections 7343-49, both inclusive, of Crawford & Moses Digest, authorized the State Plant Board, when read in connection with Act No. 65 of the General Assembly, approved March 2, 1933, to cooperate with the Bureau of Agricultural Economics of the United States Department of Agriculture in the work of collecting, tabulating, interpreting and disseminating statistical information concerning crops and livestock in Arkansas;

"And Whereas by Act 153 of the General Assembly, approved March 25, 1933, the status of the powers and duties as originally set forth in said Sections 7343-49, both inclusive, was inadvertently left open to legal questions;

"And Whereas it is deemed expedient by the General Assembly that the State Plant Board continue to cooperate with the said Bureau of Agricultural Economics;

"Therefore ... "

Effective Dates. Acts 1927, No. 290, § 7: effective on passage.

Acts 1935, No. 127, § 8: approved Mar. 19, 1935. Emergency clause provided: "It is found as a fact that the law authorizing the State Plant Board to cooperate with the United States government in compiling crop and livestock statistics has been inadvertently left open to legal question and that it is very necessary that said cooperation be continued, thereby preventing a great loss in statistical information to the citizens of Arkansas. This act is declared to be necessary for the preservation of the public health, peace and safety, therefore, an emergency is declared and this act shall take effect and be in force from and after its passage."

Acts 2021, No. 564, § 2: Apr. 5, 2021. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that state lands are held and managed for the benefit of the citizens of Arkansas; that the public has a right to continue to enjoy state lands used for public purposes; that a sale of Pine Tree Research Station would damage the trust of the citizens in the state and disrupt the public peace; and that this act is immediately necessary because a sale of the property to a private entity would discontinue the public's right to use and enjoy the state lands. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and

safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period

of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-64-701. Acceptance of federal aid.

The assent of the General Assembly is given:

(1) For the purpose of the grants made in 7 U.S.C. § 361a et seq., the Board of Trustees of the University of Arkansas may accept any sums coming to the State of Arkansas under that federal act and apply them for the benefit of the Division of Agriculture of the University of Arkansas in accordance with the terms and conditions expressed in the Act of Congress referred to above;

(2) To the provisions and requirements of an Act of Congress entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several states," known as the Smith-Lever Act, 7 U.S.C. § 341 et seq., the board may receive any sums coming to the State of Arkansas under that federal act, and apply them for the benefit of the division in accordance with the terms and conditions expressed in the Act of Congress referred to above; and

(3) To the provisions and requirements of the federal act of October 10, 1962, popularly known as the McIntire-Stennis Cooperative Forestry Research Program, 16 U.S.C. § 582a et seq., the board may receive any sums coming to the State of Arkansas under that federal act, and apply them for the benefit of the forestry program established by the division in accordance with the terms and conditions expressed in the Act of Congress referred to above.

History. Acts 1927, No. 290, § 5; 2015, No. 1065, § 1.

Publisher's Notes. Acts 1889, No. 29, § 1 accepted the appropriation made to Arkansas by 7 U.S.C. §§ 301-305, 307,

and 308, in trust, and assigned the moneys received for use and disbursement to the University of Arkansas at Fayetteville under the provisions of 7 U.S.C. §§ 301-305, 307, and 308.

6-64-702 — 6-64-712. [Repealed.]

Publisher's Notes. These sections, concerning a course of study, investigations and recommendations by the director, investigation and classification of soils, the Main Agricultural Experiment Station and branch stations generally, Central Branch Station, Rice Branch Experiment Station, Fruit and Truck Branch Station, Cotton Branch Experiment Station, Livestock and Forestry Branch Experiment Station, seed-testing laboratory, and the Bureau of Research and Statistics, were repealed by Acts 2015, No. 1065,

§ 1. The sections were derived from the following sources:

6-64-702. Acts 1905, No. 231, § 1, p. 587; C. & M. Dig., § 9565; Pope's Dig., § 13166; A.S.A. 1947, § 80-2827.

6-64-703. Acts 1905, No. 231, §§ 3, 6, p. 587; C. & M. Dig., §§ 9567, 9568; Pope's Dig., §§ 13168, 13169; A.S.A. 1947, §§ 80-3002, 80-3003.

6-64-704. Acts 1921, No. 542, §§ 1-3; Pope's Dig., §§ 13170-13172; A.S.A. 1947, §§ 80-3004 — 80-3006.

6-64-705. Acts 1905, No. 231, § 2, p.

587; 1919, No. 664, § 2; C. & M. Dig., § 9566; Pope's Dig., § 13167; A.S.A. 1947, § 80-3001.

6-64-706. Acts 1919, No. 664, §§ 1, 3-9; 1997, No. 250, § 31.

6-64-707. Acts 1923, No. 753, §§ 1-3, 7; Pope's Dig., §§ 13194-13196, 13200; A.S.A. 1947, §§ 80-3009 — 80-3012.

6-64-708. Acts 1923, No. 754, §§ 1-3, 7; Pope's Dig., §§ 13180-13182, 13186; A.S.A. 1947, §§ 80-3013 — 80-3016.

6-64-709. Acts 1923, No. 755, §§ 1-3, 7;

Pope's Dig., §§ 13187-13189, 13193; A.S.A. 1947, §§ 80-3017 — 80-3020.

6-64-710. Acts 1937, No. 361, § 1; Pope's Dig., § 13201; A.S.A. 1947, § 80-3021.

6-64-711. Acts 1953, No. 96, § 1; A.S.A. 1947, § 80-3028.

6-64-712. Acts 1935, No. 127, §§ 1, 4, 5; Pope's Dig., §§ 12402, 12405, 12406; A.S.A. 1947, §§ 80-3022, 80-3025, 80-3026.

6-64-713. Authority to make contract with United States Government.

The Division of Agriculture of the University of Arkansas may, with the consent of the Board of Trustees of the University of Arkansas, enter into a contract with the United States Government through the United States Secretary of Agriculture or any authorized representative through which the division shall cooperate with the United States Department of Agriculture in the actual work of collecting, tabulating, interpreting, and disseminating statistical information concerning crops and livestock in Arkansas.

History. Acts 1935, No. 127, § 2; Pope's Dig., § 12403; A.S.A. 1947, § 80-3023; Acts 2015, No. 1065, § 1.

6-64-714. Cooperation with federal agencies — Reporting by state unaffected.

(a) The Division of Agriculture of the University of Arkansas shall collaborate with the representatives of the United States Department of Agriculture in the collection and tabulation of crop statistics.

(b) Sections 6-64-713 — 6-64-715 shall not prevent the State of Arkansas from collecting and publishing statistics concerning crops and livestock not reported by the United States Department of Agriculture.

History. Acts 1935, No. 127, § 3; Pope's Dig., § 12404; A.S.A. 1947, § 80-3024; Acts 2015, No. 1065, § 1.

6-64-715. Use of material and information.

The Division of Agriculture of the University of Arkansas may use material and information in preparing and disseminating research and information concerning food, fiber, feed, agribusiness, bioenergy, and related law issues.

History. Acts 1935, No. 127, § 6; Pope's Dig., § 12407; A.S.A. 1947, § 80-3027; Acts 2015, No. 1065, § 1.

6-64-716. Division of Agriculture.

(a)(1) The Division of Agriculture of the University of Arkansas, a state-supported institution of higher education, includes the Arkansas Agricultural Experiment Station and the University of Arkansas Cooperative Extension Service.

(2) The mission of the division is to provide research and extension on all aspects of agriculture, food, youth, families, and communities.

(3) The division is encouraged to cooperate with:

(A) The United States Department of Agriculture as a specially designated land grant institution of higher education;

(B) Other federal, state, and international agencies;

(C) Communities and school districts in the state; and

(D) Rural, urban, and agricultural stakeholders throughout the state.

(4) Any federal, state, county, or municipal funds appropriated to the division shall be used for the promotion of research and extension as allowed under this subchapter and not for any other purpose.

(b) The purpose of the Arkansas Agricultural Experiment Station is to develop and advance scientific knowledge through basic and applied research regarding:

(1) Food;

(2) Fiber;

(3) Feed;

(4) Agribusiness;

(5) Bioenergy issues; and

(6) Other programmatic areas that are established by the division.

(c) The purpose of the University of Arkansas Cooperative Extension Service is to advance and disseminate scientific knowledge regarding:

(1) Agriculture;

(2) The environment;

(3) Human health and well-being;

(4) Communities; and

(5) Other programmatic areas that are established by the division.

History. Acts 2015, No. 1065, § 1.

6-64-717. Research and extension offices, facilities, centers, and stations.

(a) The Division of Agriculture of the University of Arkansas, with the approval of the Board of Trustees of the University of Arkansas, may establish and maintain:

(1) Research and extension offices, facilities, centers, and stations throughout the state to better serve its stakeholders; and

(2) Testing and diagnostic centers concerning animals, plants, food, soil, water, air, and agricultural inputs.

(b) The division, with the approval of the board, shall establish the name of an office, facility, center, or station established under subdivision (a)(1) of this section.

History. Acts 2015, No. 1065, § 1.

6-64-718. Preservation of Pine Tree Research Station.

(a) The Board of Trustees of the University of Arkansas shall not sell the property commonly known as the “Pine Tree Research Station”, located in St. Francis County, Arkansas, acquired by the Board of Trustees of the University of Arkansas from the United States of America, acting through the United States Forest Service in 1978, to a private entity or individual.

(b) The Board of Trustees of the University of Arkansas may sell the property commonly known as the “Pine Tree Research Station”, located in St. Francis County, Arkansas, acquired by the Board of Trustees of the University of Arkansas from the United States of America, acting through the United States Forest Service in 1978, to a nonprofit corporation:

(1) Organized with the primary mission to keep the land open to the public and available for public use; and

(2) Organized and operated for a minimum of five (5) years.

(c) The property commonly known as the “Pine Tree Research Station”, located in St. Francis County, Arkansas, acquired by the Board of Trustees of the University of Arkansas from the United States of America, acting through the United States Forest Service in 1978, shall remain open to the public for public use, including without limitation:

- (1) Public fishing;
- (2) Public hunting;
- (3) Biking;
- (4) Bird watching; and
- (5) Hiking.

(d) All property commonly known as the “Pine Tree Research Station”, located in St. Francis County, Arkansas, acquired by the Board of Trustees of the University of Arkansas from the United States of America, acting through the United States Forest Service in 1978, used for row crop cultivation in the year 2020, is exempt from subsection (c) of this section.

History. Acts 2021, No. 564, § 1.

SUBCHAPTER 8 — GRADUATE INSTITUTE OF TECHNOLOGY

SECTION.	SECTION.
6-64-801. Establishment.	6-64-804. Contributions, grants, etc.
6-64-802. Courses offered.	6-64-805. Construction and improve-
6-64-803. Funds.	ments authorized.

Preambles. Acts 1957, No. 203 contained a preamble which read: "Whereas, it has been found that there exists an extreme need for additional graduate education and research in Arkansas, especially in engineering and related physical and technical sciences, in order to equip personnel for roles in the state's expanding economy, and particularly to provide for professional engineers, scientists, and similar persons opportunities for the continuation and completion of post graduate instruction and research such as are available in other urban and industrialized centers of the country, and

"Whereas, it has been amply demonstrated that lack of complete implementation of this program of higher education in hampering the industrial location and ex-

pansion efforts of the State of Arkansas and its Arkansas Industrial Development Commission (AIDC), and, in fact, Arkansas has already lost at least two industries employing several thousand employees because of post-graduate facilities for its scientific and technical staff were not available, while other industries seeking sites, as well as those already in Arkansas, are now urging that such Graduate Institute be established, and

"Whereas, the expansion of an adequate financial support for an Institute of this kind would contribute to the general welfare of the whole state both in terms of educational opportunity and industrial development,

"Now, therefore"

6-64-801. Establishment.

The Board of Trustees of the University of Arkansas is authorized to establish and operate at Little Rock the Graduate Institute of Technology as an expansion of its graduate program of instruction and research.

History. Acts 1957, No. 203, § 1; A.S.A. 1947, § 80-2861.

6-64-802. Courses offered.

The Graduate Institute of Technology and its staff may offer graduate resident instruction and opportunities for creative basic and applied research in the fields of physical, technical, and other sciences which include, but are not limited to, engineering, including electronics, advanced theoretical and applied chemistry, and advanced theoretical and applied physics. The institute and its staff may also engage in research projects.

History. Acts 1957, No. 203, § 2; A.S.A. 1947, § 80-2862.

6-64-803. Funds.

The Board of Trustees of the University of Arkansas may exercise its authority as required to establish and maintain the Graduate Institute of Technology to the extent that moneys are especially appropriated from state funds for that purpose or made available to the board according to § 6-64-804.

History. Acts 1957, No. 203, § 3; A.S.A. 1947, § 80-2863.

6-64-804. Contributions, grants, etc.

For the purpose of financing the Graduate Institute of Technology authorized to be established by this subchapter, the Board of Trustees of the University of Arkansas may accept contributions of moneys, equipment, services, and property from cooperating industries or others and may receive grants-in-aid for such purpose and perform contractual and other research.

History. Acts 1957, No. 203, § 5; A.S.A. 1947, § 80-2865.

6-64-805. Construction and improvements authorized.

The authority of the Board of Trustees of the University of Arkansas to remodel, reconstruct, and improve property for the location of the Graduate Institute of Technology is recognized.

History. Acts 1957, No. 203, § 4; A.S.A. 1947, § 80-2864.

**SUBCHAPTER 9 — CENTER FOR RESEARCH, EDUCATION AND TECHNICAL
EXTENSION, AND GRADUATE EDUCATION**

- SECTION.
- 6-64-901. Establishment and operation authorized.

6-64-902. Divisions of center.

6-64-903. Advanced instruction, research, and educational services — Purposes.

6-64-904. Computer and technical library facilities.

6-64-905. Authority to contract to perform research services — Acceptance of grants and gifts.

- SECTION.
- 6-64-906. Research guidance and assistance to government, education, and business interests.

6-64-907. Expansion and reorganization to be from surplus financial resources — Authorized use of resources.

6-64-908. Leases and contracts authorized.

Preambles. Acts 1965, No. 443 contained a preamble which read: "Whereas, the State of Arkansas has made rapid progress in recent years, through the efforts of all of its citizens, to improve educational opportunities from the elementary schools through doctoral programs in higher education, while at the same time we have acted concertedly to diversify the general economy of Arkansas and encourage industrial progress and business growth as a complement to the well-developed agricultural economy of which the State is so proud; and,
"Whereas, educational advancements of a space age have opened new vistas in

basic and applied research and development, and in the application of the findings of higher education, and its techniques, to improvement of the economy, betterment of the condition of man in society, scientific development and the productivity of industry, as well as the application of technology, research and planning to the business community, and necessary instruction, training and advanced education to implement the wise utilization of these achievements of higher education are now required; and,
"Whereas, the beginning efforts made by the citizens of Arkansas toward uniting higher education of quality with the eco-

conomic and material well-being of our State so well exemplified by the Industrial Research and Extension Center and the Graduate Institute of Technology should be enhanced and fostered for the acceleration of further progress in Arkansas;

"Now, therefore"

Effective Dates. Acts 1965, No. 443, § 9: Mar. 20, 1965. Emergency clause provided: "It is hereby found and determined by the General Assembly that Arkansas is rapidly changing from an agricultural economy to an industrial economy; that it is essential to the industrial growth of Arkansas that adequate facilities be provided in this State for providing instruction, research and training in the physical

and natural sciences, engineering and technological fields, and for coordinating statewide research activities in order to avoid duplication of efforts; that the Arkansas Center for Research, Education and Technical Extension created by this Act will provide such facilities, research and training, and that this Act is immediately necessary in order that said facilities may be provided as soon as possible. Therefore an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in effect from the date of its passage and approval."

6-64-901. Establishment and operation authorized.

The Board of Trustees of the University of Arkansas is authorized to establish and operate an Arkansas Center for Research, Education and Technical Extension, and Graduate Education and to provide for the location thereof in central Arkansas.

History. Acts 1965, No. 443, § 1; A.S.A. 1947, § 80-2866.

6-64-902. Divisions of center.

(a) The Arkansas Center for Research, Education and Technical Extension, and Graduate Education shall include as component divisions the Graduate Institute of Technology, the Arkansas Economic Development Institute, and the Little Rock Graduate Center.

(b) As the Board of Trustees of the University of Arkansas effects the reorganization and expansion of its programs of instruction, research, and educational services, it may include other functions deemed to be related to the purposes of the Arkansas Center for Research, Education and Technical Extension, and Graduate Education.

History. Acts 1965, No. 443, § 2; A.S.A. 1947, § 80-2867.

6-64-903. Advanced instruction, research, and educational services — Purposes.

The Arkansas Center for Research, Education and Technical Extension, and Graduate Education and its faculty and staff may offer advanced instruction and engage in research and educational services in the fields of physical and natural sciences, engineering, business, economics, and social sciences and related fields for the purpose of enhancing education in, research and development about, and applica-

tion of the learning available now and in the future, from the academic disciplines named above in order to meet the educational needs of Arkansas and its people and bring about the close cooperation required between education and the scientific, business, and economic growth and development in Arkansas.

History. Acts 1965, No. 443, § 3; A.S.A. 1947, § 80-2868.

6-64-904. Computer and technical library facilities.

The Board of Trustees of the University of Arkansas is authorized to include within the Arkansas Center for Research, Education and Technical Extension, and Graduate Education, for the use of all of its divisions and personnel, computer facilities and technical library facilities to support the work of the center.

History. Acts 1965, No. 443, § 4; A.S.A. 1947, § 80-2869.

6-64-905. Authority to contract to perform research services — Acceptance of grants and gifts.

(a) The authority of the Board of Trustees of the University of Arkansas to enter into agreements for the performance by the Arkansas Center for Research, Education and Technical Extension, and Graduate Education of contract research for governmental bodies, private industries, private development organizations, and persons, firms, and associations engaged in industrial development, business, natural resource development and use, planning, and related activities is fully recognized.

(b) The board may also accept public or private grants, gifts, and donations for the use of the center.

History. Acts 1965, No. 443, § 5; A.S.A. 1947, § 80-2870.

6-64-906. Research guidance and assistance to government, education, and business interests.

The Arkansas Center for Research, Education and Technical Extension, and Graduate Education located and operated as provided in this subchapter will offer research, guidance, and assistance to government, education, and business interests in the State of Arkansas in order to achieve guidelines for Arkansas development and to minimize duplication of efforts.

History. Acts 1965, No. 443, § 6; A.S.A. 1947, § 80-2871.

6-64-907. Expansion and reorganization to be from surplus financial resources — Authorized use of resources.

(a) The expansion and reorganization provided for in this subchapter shall be effected by the Board of Trustees of the University of Arkansas as additional financial resources become available to it above the level of financial requirements for its present programs, including the Graduate Institute of Technology, the Arkansas Economic Development Institute, and the Little Rock Graduate Center.

(b) Financial resources made available may be used for maintenance, operation, personnel services, construction of facilities, and improvement of the Arkansas Center for Research, Education and Technical Extension, and Graduate Education.

History. Acts 1965, No. 443, § 7; A.S.A. 1947, § 80-2872.

6-64-908. Leases and contracts authorized.

The Board of Trustees of the University of Arkansas is authorized to negotiate leases and enter into contracts with private and public agencies or organizations for the establishment of research and development facilities.

History. Acts 1965, No. 443, § 8; A.S.A. 1947, § 80-2873.

SUBCHAPTER 10 — FINANCES

SECTION.

- 6-64-1001. Penalty.
- 6-64-1002. Application of funds for specified purposes only.
- 6-64-1003. Bond given United States to secure use of arms for military.
- 6-64-1004. [Repealed.]
- 6-64-1005. Employees to file monthly accounts.
- 6-64-1006. Dealers' accounts.
- 6-64-1007. Statement to be itemized for allowance and payment.
- 6-64-1008. Claims allowed and ordered paid to be listed.

SECTION.

- 6-64-1009. Funds excepted from application of §§ 6-64-1006 — 6-64-1008.
- 6-64-1010. Funding of transportation research and education program.
- 6-64-1011. [Repealed.]
- 6-64-1012. Additional compensation for athletic department.
- 6-64-1013. Diagnostic laboratory services.

Cross References. Method of presenting claims, § 25-17-102.

Preambles. Acts 1945, No. 286 contained a preamble which read: "Whereas, Arkansas is represented in intercollegiate football competition with teams of all sections of the nation by the University of Arkansas; and

"Whereas, it is essential to the success of the University teams that the many outstanding athletes developed in the State's High Schools attend the University and participate in its athletics program; and

"Whereas, the boys who make up University teams are entitled to the best

possible instruction to enable them to complete credentials with other Universities;

"Whereas, Glen Rose, in 1944, his first year as head football coach attracted much favorable comment to his home State and his Alma Mater by producing a team that performed with notable success in and out of the Southwest Conference, despite the fact that most of the institutions which his team encountered included on their teams many Navy trainees, while Arkansas' squad was made up necessarily of players classified 4-F by Selective Service or else too young to be drafted; and

"Whereas, continued success by Coach Rose inevitably will lead to tempting offers from other schools; and, whether or not he should choose to remain at the University of Arkansas, it is necessary that the institution be in position to provide its teams with as excellent coaching as can be had ... "

Effective Dates. Acts 1901, No. 126, § 3: effective on passage.

Acts 1915, No. 289, § 16: approved Mar. 27, 1915. Emergency declared.

Acts 1973, No. 200, § 5: Mar. 2, 1973. Emergency clause provided: "It is hereby found and determined by the General Assembly that the transportation policy of the State of Arkansas will be fostered and that sound economic conditions in transportation, vitally important in the regulation thereof, will result if immediate steps are undertaken to enhance transportation through studies, research, industry seminars, and similar educational activities relating to that subject; and whereas it is highly important to the achievement of these purposes that these activities be undertaken immediately so that the results thereof may be put into practical application at an early date; now therefore, it has been found, and is hereby declared by the General Assembly of the State of Arkansas that it is imperative that this Act become effective immedi-

ately. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall take effect and be in full force from and after its passage and approval."

Acts 1995, No. 1161, § 18: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

Acts 2007, No. 1257, § 31: July 1, 2007. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2007 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2007 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2007."

6-64-1001. Penalty.

Any officer or employee who shall violate any of the provisions of § 6-64-213 [repealed] or §§ 6-64-1005 — 6-64-1009 shall be guilty of a violation and fined any sum not less than one hundred dollars (\$100)

nor more than one thousand dollars (\$1,000) and immediately removed from office.

History. Acts 1915, No. 289, § 15; C. & M. Dig., § 9560; Pope's Dig., § 13209; A.S.A. 1947, § 80-2847; Acts 2005, No. 1994, § 72.

6-64-1002. Application of funds for specified purposes only.

The General Assembly, in appropriating moneys for the benefit of the University of Arkansas, shall specify the precise amount that it intends to appropriate for each and every purpose, and the Board of Trustees of the University of Arkansas shall apply each sum as thus directed, and in no other way.

History. Acts 1883, No. 30, § 1, p. 52; C. & M. Dig., § 9561; Pope's Dig., § 13210; A.S.A. 1947, § 80-2848.

Publisher's Notes. Acts 1945, No. 249, provided: "Whereas, by acceptance of the grant of the United States, as provided by the Act of Congress, approved July 2, 1862, entitled, 'An Act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts', the State of Arkansas covenanted to invest the moneys, derived from the grants of land so received, in interest bearing obligations of the State of Arkansas or the United States of America; and

"Whereas, the University of Arkansas was designated as the college to receive the endowment, which is now represented by \$132,666.67 principal amount of bonds of the State of Arkansas, known as University of Arkansas Endowment Fund Bonds maturing on July 1, 1947; and

"Whereas, by reason of the improved financial condition of the State of Arkansas, the time is opportune (1), to reduce the bonded debt of the State of Arkansas and (2), to invest the University of Arkansas Endowment Fund in long term interest-bearing direct obligation bonds of the United States;

NOW THEREFORE,

Be It Enacted by the General Assembly of the State of Arkansas:

"Section 1. The State Board of Fiscal Control, hereinafter referred to as the Board, without giving prior notice by publication of its intention of so doing, is hereby authorized and empowered, by use of the moneys and for the purposes hereafter in this Act provided, to subscribe to and purchase not to exceed \$132,700.00

principal amount of direct interest bearing obligations of the United States of America from the United State's Treasury Department, or its duly authorized fiscal officers, in those instances where the securities are part of a new issue and the original offering price does not exceed par and accrued interest.

"Whenever the balance in the Excess Par Value Bond Account, which shall hereafter be known as the Securities Reserve Fund, shall exceed \$100,000.00, the Board may, by resolution duly adopted, use not to exceed \$132,700.00 of the said balance in excess of \$100,000.00 in making the purchases hereinbefore provided.

"All obligations purchased under the provisions of this Act shall be delivered to the Treasurer of State and shall, by said Treasurer, be held in trust in and for the benefit of the University of Arkansas Endowment Fund. Upon receipt of the obligations so purchased by the Board, the Treasurer of State shall cancel, by perforation, an equal principal amount of University of Arkansas Endowment Fund Bonds. Provided, after retirement in the manner hereinbefore provided of all other bonds of the issue, the Treasurer of State shall cancel University of Arkansas Endowment Fund bond number 133 for \$666.67 principal amount, upon receipt from the Board of \$700.00 principal amount of United States Treasury bonds.

"All interest received on the obligations so purchased shall, by the Treasurer of State, be deposited in the University of Arkansas Fund, and shall be expended for the use and benefit of the University of Arkansas as its Board of Trustees shall direct. In the event the interest derived each year from investments in the Univer-

sity of Arkansas Endowment Fund amounts to less than \$6,633.34, the Treasurer of State shall transfer from the State Sinking Fund to the University of Arkansas fund such amounts as may be necessary to make the total income from interest, plus the transfers thus provided for, equal \$6,633.34.

"Section 2. For the purpose of making all or a portion of the moneys available for investment, as herein provided, the Treasurer of State shall, upon resolution of the Board, transfer from the State Sinking Fund to the Securities Reserve Fund such amounts as may be set forth in said resolution. Provided, the Board shall not authorize the transfer of any moneys from the State Sinking Fund to the Securities Reserve Fund which are pledged for the payment of the principal of or interest on any other bonds which are a charge against the said State Sinking Fund.

"Section 3. There is hereby appropriated, to be payable from any moneys in the Securities Reserve Fund in excess of \$100,000.00, for the fiscal year beginning July 1, 1945 and ending June 30, 1946, to be used in purchasing United States Treas-

ury Bonds for the purposes herein provided, the sum of \$132,700.00. Provided, any unexpended balance in the appropriation on June 30, 1946 shall, upon resolution of the Board, be brought forward and made available for such purposes during the fiscal year beginning July 1, 1946 and ending June 30, 1947.

"Section 4. In the event all University of Arkansas Endowment Fund Bonds shall not have been retired on or before July 1, 1947, the maturity date thereof, the Board shall, from time to time, extend the maturity date of such outstanding bonds, but no single extension shall be for more than one year.

"Section 5. The following laws or parts of laws enacted by the General Assembly of the State of Arkansas are hereby repealed; Act 149, approved May 23, 1901 (Sections 13132, 13133 and 13134 of Pope's Digest); Act 208, approved May 23, 1901 (Sections 13135 and 13136 of Pope's Digest); and, Act 252, approved March 16, 1917 (Sections 11966 to 11970, inclusive, of Pope's Digest)."

Acts 1945, No. 249 was approved March 20, 1945.

6-64-1003. Bond given United States to secure use of arms for military.

(a) The Board of Trustees of the University of Arkansas or the President of the University of Arkansas may cause a bond to be executed to the United States, or to any person designated by the United States Department of Defense, for the purpose of securing the use of arms and accoutrements for the military department of the University of Arkansas and for the return of the arms and accoutrements.

(b) The bond may be executed by any guaranty or surety company acceptable to the United States for such amount and on such conditions as may be required, and the costs of executing the bond shall be paid from any funds of the university not otherwise appropriated.

History. Acts 1901, No. 126, §§ 1, 2, p. 196; C. & M. Dig., § 9531; Pope's Dig., § 13154; A.S.A. 1947, §§ 80-2828, 80-2829.

6-64-1004. [Repealed.]

Publisher's Notes. This section, concerning the Athletics Instruction Fund, was repealed by Acts 2015, No. 344, § 10.

The section was derived from Acts 1945, No. 286, §§ 1-5; A.S.A. 1947, §§ 80-2836 — 80-2840.

6-64-1005. Employees to file monthly accounts.

Each employee of the University of Arkansas shall present his or her account at the end of each month to the financial officer of the university, which account, when allowed, shall be so endorsed and filed with the Auditor of State, who shall draw his or her warrant on the Treasurer of State for the sum due, which shall be paid by the Treasurer of State out of any funds appropriated for that purpose.

History. Acts 1915, No. 289, § 9; C. & M. Dig., § 9554; Pope's Dig., § 13203; A.S.A. 1947, § 80-2841.

6-64-1006. Dealers' accounts.

(a) All persons who shall sell any goods, wares, merchandise, or supplies of any character for the use of the University of Arkansas or any of its departments, or who shall perform any services for the university or any of its departments the costs for which shall be charged against the university shall be required at the end of each month, or more often, to present to the financial officer of the university an itemized account.

(b)(1) The claimant or his or her agent shall append to his or her demand an affidavit of its justice, which shall be immediately examined by the financial officer of the university.

(2) If found correct, the claim shall forthwith be marked correct and shall then be forwarded by the financial officer of the university to the Auditor of State, and filed by him or her, and he or she shall draw his or her warrant on the Treasurer of State for such sum due, which shall be paid by the Treasurer of State out of any funds appropriated for the purpose.

(c) All accounts filed for goods or supplies furnished shall be made in duplicate and in itemized form, and a copy shall be retained in the office of the financial officer of the university. Another copy shall be filed with the Auditor of State as a permanent record.

History. Acts 1915, No. 289, §§ 10, 11; §§ 13204, 13205; A.S.A. 1947, §§ 80-C. & M. Dig., §§ 9555, 9556; Pope's Dig., 2842, 80-2843.

6-64-1007. Statement to be itemized for allowance and payment.

No claim whatsoever against the University of Arkansas or any of its departments shall be allowed or paid from any of the funds appropriated by the state in any other manner than provided in this subchapter, and the Auditor of State is forbidden to draw warrants on the Treasurer of the State for the payment of any moneys on any account for or against the university, except upon an itemized statement and in the manner prescribed in this subchapter.

History. Acts 1915, No. 289, § 12; C. & M. Dig., § 9557; Pope's Dig., § 13206; A.S.A. 1947, § 80-2844.

6-64-1008. Claims allowed and ordered paid to be listed.

All claims allowed and ordered paid by the financial officer of the University of Arkansas, as provided in this subchapter, shall be listed and a copy submitted to the Board of Trustees of the University of Arkansas at each meeting for their investigation and approval.

History. Acts 1915, No. 289, § 13; C. & M. Dig., § 9558; Pope's Dig., § 13207; A.S.A. 1947, § 80-2845.

6-64-1009. Funds excepted from application of §§ 6-64-1006 — 6-64-1008.

The provisions of §§ 6-64-1006 — 6-64-1008 shall not apply to student fees, student deposits, and other sums collected at the University of Arkansas at Fayetteville, nor to any funds except those held in the State Treasury for the use of the University of Arkansas.

History. Acts 1915, No. 289, § 14; C. & M. Dig., § 9559; Pope's Dig., § 13208; A.S.A. 1947, § 80-2846; Acts 2015, No. 344, § 11.

6-64-1010. Funding of transportation research and education program.

All funds received by the University of Arkansas under the provisions of Acts 1973, No. 200, § 2, and other funds heretofore made available to the university from the Arkansas Transportation Department Fund of the State Highway Commission for the funding of a program of research and education in transportation shall be deposited by the Board of Trustees of the University of Arkansas into an endowment trust fund, the principal of which shall be kept intact and the income from which shall be used to establish, operate, and maintain research and educational programs in transportation.

History. Acts 1973, No. 200, § 3; A.S.A. 1947, § 80-2892.

Publisher's Notes. Acts 1973, No. 200, § 2, appropriated funds for the establish-

ment of an endowment fund for the establishment, operation, and maintenance of research and educational programs in transportation at the University of Arkansas.

6-64-1011. [Repealed.]

A.C.R.C. Notes. Former § 6-64-1011, concerning the housing allowance for the Chancellor of the Little Rock campus, was deemed to be superseded. The former section was derived from Acts 1987, No. 700,

§ 5.

Publisher's Notes. This section, concerning the housing allowance for the Chancellor of the University of Arkansas at Little Rock, was repealed by Acts 1999,

No. 240, § 5. The section was derived from Acts 1989 (1st Ex. Sess.), No. 114, § 5.

6-64-1012. Additional compensation for athletic department.

In recognition of the extra work involved in the participation of intercollegiate athletic teams in post-season competition, and to promote exceptional achievement in the total sports program, the Chancellor of the University of Arkansas at Fayetteville, in accordance with policies issued by the Board of Trustees of the University of Arkansas, may approve additional compensation of up to one (1) month's salary for the athletic department and band personnel when any athletic team participates in post-season competition or achieves exceptional recognition, which shall be in addition to the regular salaries authorized by law, provided that the additional compensation shall be paid from contributions from sources other than public funds.

History. Acts 1995, No. 1161, § 10.

6-64-1013. Diagnostic laboratory services.

(a) The Division of Agriculture of the University of Arkansas may promulgate rules concerning services performed by its diagnostic laboratories.

(b)(1) A fee structure may be designed and maintained by the division for the purpose of defraying the cost of diagnostic services.

(2)(A) The fees collected shall be deposited into the State Treasury as special revenues and shall be credited to the University of Arkansas Fund to be used exclusively for the diagnostic laboratories of the division.

(B) Before the close of each fiscal year, the Chief Fiscal Officer of the State shall determine the amount of moneys which shall remain at the end of the fiscal year in the account from fees collected under the provisions of this section and shall allow the moneys to be carried forward and made available for the same purposes in the next succeeding fiscal year.

(c) Effective July 1, 2005, all duties, functions, records, property, obligations, personnel, and authority to levy and collect diagnostic and laboratory fees, pursuant to § 2-33-111 and § 2-33-112 [repealed], for the Springdale Laboratory of the Arkansas Livestock and Poultry Commission are hereby transferred by a Type 2 transfer from the Arkansas Livestock and Poultry Commission to the Division of Agriculture of the University of Arkansas.

History. Acts 2005, No. 1374, § 1; 2007, No. 1257, § 27; 2009, No. 1427, § 26.

SUBCHAPTER 11 — COLLEGE OF INFORMATION SCIENCE AND SYSTEMS ENGINEERING

SECTION.

6-64-1101. Legislative findings.

6-64-1102. Creation.

SECTION.

6-64-1103. Funding.

Effective Dates. Acts 1999, No. 1447, § 6: Apr. 15, 1999. Emergency clause provided: "It is hereby found and determined by the General Assembly that there exists a significant shortfall in postsecondary education for persons seeking to become highly skilled in the use of information technology; this act is designed to address that shortfall; and that until this act goes into effect, the shortfall will not be addressed and the citizens of this state will continue to seek educational opportunities in other states. Therefore, an emer-

gency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-64-1101. Legislative findings.

(a) It has been determined that there is a significant shortfall in postsecondary education for persons seeking to become highly skilled in the use of information technology, which affects our entire economy. In fact, American employment in these fields has tripled in the last decade. Without action to meet the broad-based demand for a skilled and highly educated work force by industries involved in manufacturing, services, transportation, health care, education, government, and information systems, severe consequences could accrue to Arkansas's competitiveness and economic growth. By providing our citizens with the opportunity to acquire a high level of education in this discipline, job creation will result as firms locate and expand in Arkansas. These industries will form an important component in Arkansas's economy in the next century. To accomplish this goal, we must establish a new college of information science and systems engineering and form a partnership between the university, public schools, and the private sector so that the public schools may be best prepared to give the training necessary to students prior to entering college and so that the colleges are prepared to build on that training to provide the potential employees for companies which are currently located in this state or which we are attempting to attract to this state.

(b) The enhancement of educational opportunities in Arkansas in the field of information technologies and the development of a public and private partnership between the universities and the knowledge-based businesses will help assure that our graduates and their families will have the best opportunity to remain in this state in productive and rewarding careers. Furthermore, the program envisioned by this sub-

chapter will help both traditional students and nontraditional students. It will provide traditional students with liberal arts majors an avenue to enhance their value and their ability to grow into future jobs, and it will offer majors to those who wish to specialize exclusively in the information technology fields. Nontraditional students will be given an option to continue their education in a field that will allow them more flexibility in today's job markets.

History. Acts 1999, No. 1447, §§ 1, 2.

6-64-1102. Creation.

(a) There is hereby created within the University of Arkansas at Little Rock a College of Information Science and Systems Engineering designed to accomplish the purposes set forth in § 6-64-1101.

(b) Cooperative efforts are anticipated with other two-year and four-year postsecondary state institutions. These efforts may include, but not be limited to, the creation of distance learning centers and semi-smart classrooms and the establishment of a formal bridge consisting of such elements as joint degree programs and jointly appointed faculties.

(c) The institutions shall enter into continued dialogue with the private sector to seek input as to the type of training that will be most beneficial to industry and, therefore, make the graduates most marketable.

History. Acts 1999, No. 1447, § 2.

6-64-1103. Funding.

In addition to funds appropriated by the General Assembly to fulfill the purposes of this subchapter, the University of Arkansas at Little Rock may also seek funding from the United States Government and the private sector, both profit and nonprofit.

History. Acts 1999, No. 1447, § 2.

SUBCHAPTER 12 — TRAINING OF LAW ENFORCEMENT OFFICIALS AND JAIL PERSONNEL

[Repealed.]

SECTION.

6-64-1201, 6-64-1202. **[Repealed.]**

6-64-1201, 6-64-1202. [Repealed.]

A.C.R.C. Notes. The repeal of § 6-64-1201 by Acts 2017, No. 423, § 3, superseded the amendment of this section by Acts 2017, No. 913, § 24. Acts 2017, No. 913, § 24 substituted "Division of Aging,

Adult, and Behavioral Health Services of the Department of Human Services" for "Division of Behavioral Health Services" in (1). The repeal of § 6-64-1202 by Acts 2017, No. 423, § 3, superseded the

amendment of this section by Acts 2017, No. 913, § 25. Acts 2017, No. 913, § 25 substituted "Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services" for "Division of Behavioral Health Services" at the end of (b)(2)(B).

Publisher's Notes. These sections, concerning definitions and the creation

and duties of the Law Enforcement Training Committee, were repealed by Acts 2017, No. 423, §§ 3, 4. The sections were derived from the following sources:

6-64-1201. Acts 2007, No. 1013, § 1, 2017, No. 913, § 24.

6-64-1202. Acts 2007, No. 1013, § 1, 2017, No. 913, § 25.

CHAPTER 65

AGRICULTURAL COLLEGES

SUBCHAPTER.

1. GENERAL PROVISIONS.
2. ARKANSAS STATE UNIVERSITY.
3. ARKANSAS TECH UNIVERSITY.
4. SOUTHERN ARKANSAS UNIVERSITY.

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

- 6-65-101. State divided into districts.
- 6-65-102. School established in each district — Courses of study.
- 6-65-103. Boards of trustees.
- 6-65-104. [Repealed.]
- 6-65-105. Tuition — Admissions.
- 6-65-106. Labor at schools performed by students.
- 6-65-107. Faculty and employees.
- 6-65-108. Free transportation to faculty members.

SECTION.

- 6-65-109. Cooperation of schools on research and publications.
- 6-65-110. Sale of farm products — Disposition of proceeds — Reports.
- 6-65-111. Rental of unused facilities authorized.
- 6-65-112. Reports regarding appropriations.

Cross References. Authorization for college extension courses, § 6-60-401 et seq.

Cooperative education program in state government, § 21-3-501 et seq.

Regulations as to establishment of branch campuses, § 6-61-303.

Effective Dates. Acts 1909, No. 100, § 12: effective on passage.

Acts 1911, No. 426, § 10: approved, except items vetoed, June 1, 1911. Emergency declared.

Acts 1913, No. 215, § 9: approved Mar. 29, 1913. Emergency declared.

Acts 1915, No. 279, § 8: approved Mar. 27, 1915.

Acts 1917, No. 467, § 8: approved Mar. 28, 1917. Emergency clause provided: "This Act being necessary for the immediate preservation of the public peace,

health and safety, shall be in force from and after its passage."

Acts 1925, No. 45, § 4: Feb. 10, 1925. Emergency clause provided: "This act being necessary for the preservation of the public peace, health and safety an emergency is declared to exist, and this act shall be in full force and effect from and after its passage and approval."

Acts 1943, No. 1, § 9: Jan. 14, 1943. Emergency clause provided: "It is hereby found and declared that amendment No. 33 to the Constitution of the State of Arkansas, which will become effective on January 15, 1943, provides that the General Assembly shall arrange the terms of office of the members of boards charged with the management or control of all charitable, penal or correctional institutions and institutions of higher learning of

the State of Arkansas in such manner that the term of office of one member of said board shall expire each year and that said amendment further provides that the unexpired terms of members serving on the effective date of the amendment shall not be decreased; and, it is further found and declared that the terms of members of all of said Boards do not expire in a manner which will make operative all of the provisions of said amendment. It is found, therefore, that delay in the effective date of this act will create confusion by reason of the uncertain status of present board members, and, that in order to preserve the public peace, health and safety, an emergency is hereby declared to exist, and this act shall take effect and be in full force from and after its passage and approval."

Acts 1971, No. 84, § 5: Feb. 12, 1971. Emergency clause provided: "It is hereby found and determined by the General Assembly that the restructuring of the counties comprising the four districts of the State established for the regional colleges of this State are in need of restructuring in order to enable said districts to consist of counties contiguous to and served by the respective district colleges, and that only by immediate passage of this Act may these objectives be accomplished. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1973, No. 23, § 2: Jan. 30, 1973. Emergency clause provided: "It is hereby found and determined by the General Assembly that the Boards of Trustees of the Agricultural and Mechanical Colleges of this State are appointed from the Agricultural and Mechanical Districts of this State, that the Agricultural and Mechanical Colleges of this State attract students from all parts of this State, and that the area from which a member of a Board of Trustees is appointed should be expanded to give broader representation on such boards; and only by the immediate operation of this Act may this end be accomplished. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety, shall take

effect and be in full force from and after its passage and approval."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2003, No. 634, § 3: Mar. 24, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Code contains language that is obsolete; that other states with similar obsolete language have been forced to engage in legal matters relating to the oversight; and that this act is immediately necessary because a delay in implementation would cause a disruption in the educational programs of this state and the ability to provide certain agricultural related programs. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new de-

partments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should

become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-65-101. State divided into districts.

For the purpose of this chapter, the State of Arkansas is divided into the following districts:

- (1) The First District shall be composed of the counties of Baxter, Fulton, Sharp, Randolph, Clay, Greene, Lawrence, Izard, Stone, Independence, Jackson, Craighead, Poinsett, Mississippi, Crittenden, Cross, St. Francis, Woodruff, White, and Cleburne;
- (2) The Second District shall be composed of the counties of Marion, Boone, Carroll, Benton, Washington, Madison, Newton, Searcy, Van Buren, Conway, Pope, Johnson, Franklin, Crawford, Sebastian, Logan, Yell, Perry, Scott, Faulkner, Fulton, Stone, Cleburne, Izard, Saline, Montgomery, Polk, Pulaski, Garland, and Baxter; and
- (3) The Third District shall be composed of the counties of Polk, Montgomery, Garland, Saline, Pulaski, Hot Spring, Pike, Howard, Sevier, Little River, Hempstead, Clark, Nevada, Ouachita, Columbia, Lafayette, Miller, and Union.

History. Acts 1909, No. 100, § 1, p. 295; C. & M. Dig., § 9603; Pope's Dig., § 12950; Acts 1971, No. 84, § 1; 1973, No. 23, § 1; A.S.A. 1947, § 80-3101.
Publisher's Notes. Acts 1909, No. 100, § 1, as amended, provided, in part, that

the fourth agricultural and mechanical college district would be composed of the counties of Lonoke, Prairie, Monroe, Lee, Phillips, Arkansas, Jefferson, Grant, Dallas, Cleveland, Lincoln, Desha, Drew, Bradley, Calhoun, Ashley and Chicot.

CASE NOTES

Cited: Davis v. Board of Trustees, 270 F. Supp. 528 (E.D. Ark. 1967).

6-65-102. School established in each district — Courses of study.

- (a) Within each of the districts established in § 6-65-101, there shall be a state agricultural school in which shall be taught agriculture, horticulture, mechanical arts, home economics, and the art of textile manufacturing.
- (b) The colleges shall have the same educational status.
- (c) The course of study shall be provided by the trustees of each school and shall consist of at least practical experiment, treatises, or lectures on agriculture and horticulture. There shall be established in connection therewith a textile school in which shall be taught the art of

cotton manufacturing, and other textile manufacturing, should the board of trustees deem it expedient.

History. Acts 1909, No. 100, §§ 2, 6, p. 12955, 12969; A.S.A. 1947, §§ 80-3102, 295; 1925, No. 45, § 3; C. & M. Dig., 80-3104, 80-3108. §§ 9604, 9608; Pope's Dig., §§ 12951,

CASE NOTES

Cited: Davis v. Board of Trustees, 270 F. Supp. 528 (E.D. Ark. 1967).

6-65-103. Boards of trustees.

(a) Each board of trustees shall elect one (1) of its members president, one (1) vice president, and one (1) secretary.

(b)(1) Each board shall meet upon call of the president.

(2) The board meetings shall be held at the school.

(3) A majority shall constitute a quorum to do business.

(c)(1) Members of the boards provided for in §§ 6-65-201 and 6-65-301 may receive expense reimbursement in accordance with § 25-16-901 et seq.

(2) All expenses shall be certified by the president or vice president, attested by the secretary, to the Auditor of State and paid out of the appropriations provided by the General Assembly.

(d) The boards of the agricultural schools are authorized to prescribe the courses of study and grant certificates, diplomas, and degrees therefor.

(e) Each board shall make a report to the General Assembly every two (2) years, giving an itemized statement showing the amount of each appropriation for each item and how and for what purpose it was expended.

(f) If any board of any agricultural school or any member of the board of any agricultural school violates any of the provisions of § 6-65-110 or any other law of the state, the violation shall ipso facto vacate the office or offices of the one or ones so violating the law, and the Governor shall at once be notified of the violation and shall at once appoint someone to fill the vacancy or vacancies.

History. Acts 1909, No. 100, § 5, p. 295; 1911, No. 426, § 7, p. 372; 1917, No. 467, § 7, p. 2151; 1925, No. 45, § 1; C. & M. Dig., § 9607; Pope's Dig., §§ 12954, 12967; Acts 1943, No. 1, § 7; A.S.A. 1947, §§ 7-206, 80-3103, 80-3107; Acts 1997, No. 250, § 32.

Publisher's Notes. Those provisions of Acts 1943, No. 1 which established honorary boards and commissions governing

various state institutions are codified in full as § 25-17-201 et seq. and are codified with respect to particular institutions in this section and §§ 6-43-101, 6-43-102, 6-65-201, 6-65-202, 6-65-301, 6-65-302, 6-66-101 [repealed], 6-66-102, 6-67-102, and 6-67-103.

Cross References. Meetings generally, § 25-17-208.

CASE NOTES

Legal Entity.

The Arkansas Agricultural and Mechanical College (now University of Arkansas at Monticello) is a body politic with a board vested in corporate powers and as such may sue and be sued as a legal entity.

Davis v. Board of Trustees, 270 F. Supp. 528 (E.D. Ark. 1967), *aff'd*, 396 F.2d 730 (8th Cir. 1968).

Cited: *Starnes v. Sadler*, 237 Ark. 325, 372 S.W.2d 585 (1963).

6-65-104. [Repealed.]

Publisher's Notes. This section, concerning rural school teachers' training departments, was repealed by Acts 2021, No.

467, § 12, effective July 28, 2021. The section was derived from Acts 1923, No. 229, §§ 1, 2; 2019, No. 910, § 2011.

6-65-105. Tuition — Admissions.

(a) The tuition in each school shall be determined by the board of trustees.

(b) The trustees may limit the number of students from time to time according to the capacity and means of the institution and shall make such rules of admission as to equalize, as nearly as practicable, the privileges of the school among the counties according to population.

(c) No students under fifteen (15) years of age shall be admitted as students at these schools.

History. Acts 1909, No. 100, § 9, p. § 12958; A.S.A. 1947, § 80-3111; Acts 295; C. & M. Dig., § 9611; Pope's Dig., 2003, No. 634, § 1.

CASE NOTES

Cited: *State ex rel. Agric. Sch. Dist. No. 1 v. Craighead County*, 114 Ark. 278, 169 S.W. 964 (1914).

6-65-106. Labor at schools performed by students.

All work in, on, and about schools, or on the farms, or on or in the barns connected with the schools, whether it is farming, building, care of stock, or whatever kind of work, shall be performed by students of each school under such rules for the proper divisions and alterations in the work as may be provided by the trustees.

History. Acts 1909, No. 100, § 8, p. 295; C. & M. Dig., § 9610; Pope's Dig., § 12957; A.S.A. 1947, § 80-3110; Acts 2019, No. 315, § 385.

Amendments. The 2019 amendment substituted "rules" for "regulations".

6-65-107. Faculty and employees.

(a)(1)(A) The faculty of each school shall consist of:

(i) A principal, who shall be a graduate of some reputable college or university;

- (ii) One (1) instructor in stock raising and dairying;
- (iii) A competent textile instructor; and
- (iv) Assistants as may be necessary.

(B) The board of trustees may combine the duties of any two (2) of the above when practicable.

(2)(A) It shall be unlawful for the board of trustees of any of the schools to employ as teachers of the natural and domestic sciences any other than graduates of agricultural colleges or colleges of domestic science.

(B) Any member of the board violating subdivision (a)(2)(A) of this section shall be guilty of a violation and upon conviction shall be fined not less than two hundred fifty dollars (\$250) nor more than five hundred dollars (\$500) and shall be removed from office by the Governor.

(b)(1) The board of any of the agricultural schools shall not employ anyone related by consanguinity or affinity within the fourth degree to any trustee.

(2) Any member of the board violating any of the provisions of subdivision (b)(1) of this section shall be guilty of a violation and upon conviction shall be fined in any sum not less than two hundred fifty dollars (\$250) nor more than five hundred dollars (\$500) and subject to removal by the Governor.

(c) All persons, including the principal, instructors, and other employees, except those participating in the student labor funds shall be paid by warrants drawn monthly against the Auditor of State on funds appropriated for that purpose.

History. Acts 1909, No. 100, § 7, p. 12962, 12963; Acts 1949, No. 298, § 1; 295; 1913, No. 215, §§ 6, 7; 1915, No. 279, A.S.A. 1947, §§ 80-3109, 80-3112, 80-§ 6; C. & M. Dig., §§ 9609, 9612, 9615, 3115, 80-3116; Acts 2005, No. 1994, § 73. 9616; Pope's Dig., §§ 12956, 12959,

6-65-108. Free transportation to faculty members.

It shall be lawful for any and all railroads to give to the principals and heads of departments of the schools, and for them to accept and use, free transportation on all railroads in the state.

History. Acts 1913, No. 215, § 8; C. & M. Dig., § 9617; Pope's Dig., § 12964; A.S.A. 1947, § 80-3117. to pass laws prohibiting free transportation to state officials, Ark. Const., Art. 17. § 7.

Cross References. General Assembly

6-65-109. Cooperation of schools on research and publications.

The several agricultural schools provided for in this chapter shall cooperate by reporting to each other the results of their several experiments and shall mutually agree upon the publication of such bulletins for free distribution as they may deem to be in the best interest of those engaged in agricultural pursuits.

History. Acts 1909, No. 100, § 11, p. 295; C. & M. Dig., § 9618; Pope's Dig., § 12965; A.S.A. 1947, § 80-3118.

6-65-110. Sale of farm products — Disposition of proceeds — Reports.

(a) The proceeds from the sale of all farm products shall be deposited into the State Treasury to the credit of each of the schools and kept in a separate fund.

(b) The moneys may be drawn by warrant by the boards of trustees and expended for the upbuilding and development of the school farms and used for no other purpose if an itemized account of all sales and receipts for all disbursements of moneys is kept by the boards and is audited annually and a report of the account filed with the Governor within thirty (30) days after the audit is made.

(c) Any one (1) of the boards or any member of either of the boards, or any member of the faculty of either of the schools, who violates any part of this section shall be guilty of a violation and upon conviction shall be fined in any sum not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100) for each offense or violation of this section.

History. Acts 1917, No. 467, §§ 6, 7; C. & M. Dig., § 9613; Pope's Dig., § 12960; A.S.A. 1947, § 80-3113; Acts 2005, No. 1994, § 188.

6-65-111. Rental of unused facilities authorized.

The board of trustees of each school are authorized to rent to the best advantage from time to time any portion of the property of such schools not required for the immediate use of the school.

History. Acts 1909, No. 100, § 9, p. 295; C. & M. Dig., § 9611; Pope's Dig., § 12958; A.S.A. 1947, § 80-3111.

CASE NOTES

Cited: State ex rel. Agric. Sch. Dist. No. 1 v. Craighead County, 114 Ark. 278, 169 S.W. 964 (1914).

6-65-112. Reports regarding appropriations.

The board of trustees of each of the agricultural schools shall make a report to the General Assembly every two (2) years, giving itemized statements showing the amount of each appropriation for each item and how and for what purpose expended.

History. Acts 1913, No. 215, § 5; C. & M. Dig., § 9614; Pope's Dig., § 12961; A.S.A. 1947, § 80-3114.

SUBCHAPTER 2 — ARKANSAS STATE UNIVERSITY

SECTION.

- 6-65-201. Board of Trustees of Arkansas State University System.
- 6-65-202. Powers and duties of board.
- 6-65-203. Right of eminent domain.
- 6-65-204. Disbursing agent — Drawing vouchers.
- 6-65-205. Participation in federal or state aid authorized.
- 6-65-206. Real estate research and educational program.
- 6-65-207. College of Engineering Management.
- 6-65-208. ASU-Beebe — Board of trustees.
- 6-65-209, 6-65-210. [Repealed.]
- 6-65-211. ASU-Beebe — Faculty and staff.
- 6-65-212. ASU-Beebe — Tuition and admissions.

SECTION.

- 6-65-213. [Repealed.]
- 6-65-214. ASU-Beebe — Rental of unused property authorized.
- 6-65-215. ASU-Beebe — Cooperation with other agricultural schools.
- 6-65-216. ASU-Beebe — Fund created.
- 6-65-217. Arkansas State Technical Institute — Legislative findings, determinations, and intent.
- 6-65-218. [Repealed.]
- 6-65-219. [Repealed.]
- 6-65-220. Arkansas State Technical Institute — Courses of study and training.
- 6-65-221 — 6-65-224. [Repealed.]
- 6-65-225. [Repealed.]
- 6-65-226. Housing allowance.

A.C.R.C. Notes. Acts 1991, No. 596, § 5, provided: "The Arkansas State University shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that Arkansas State University shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with Arkansas State University does not exceed 25% of that required for a full-time employee."

Publisher's Notes. Acts 1925, No. 45, § 1, in part, changed the name of the first district agricultural school located in Jonesboro to the Agricultural and Mechanical College of the First District. Acts 1933, No. 222, § 5, in part, changed the name of the Agricultural and Mechanical College of the First District to Arkansas State College. Acts 1967, No. 3, § 1 and Acts 1967, No. 18, § 1 subsequently changed the name of Arkansas State College to Arkansas State University.

Effective Dates. Acts 1927, No. 132, § 12: effective on passage.

Acts 1939, No. 294, § 7: Mar. 10, 1939.

Acts 1941, No. 207, § 7: Mar. 25, 1941.

Acts 1943, No. 1, § 9: Jan. 14, 1943.
Emergency clause provided: "It is hereby

found and declared that amendment No. 33 to the Constitution of the State of Arkansas, which will become effective on January 15, 1943, provides that the General Assembly shall arrange the terms of office of the members of boards charged with the management or control of all charitable, penal or correctional institutions and institutions of higher learning of the State of Arkansas in such manner that the term of office of one member of said board shall expire each year and that said amendment further provides that the unexpired terms of members serving on the effective date of the amendment shall not be decreased; and, it is further found and declared that the terms of members of all of said Boards do not expire in a manner which will make operative all of the provisions of said amendment. It is found, therefore, that delay in the effective date of this act will create confusion by reason of the uncertain status of present board members, and, that in order to preserve the public peace, health and safety, an emergency is hereby declared to exist, and this act shall take effect and be in full force from and after its passage and approval."

Acts 1947, No. 333, § 5: Mar. 28, 1947.
Emergency clause provided: "Whereas the enrollment of students at the Arkansas State College has increased threefold

within recent months; and whereas at the present time there are approximately six hundred veterans applying for admission to said College; and whereas the present dormitory facilities of said College are not sufficient to accommodate adequately the students now enrolled; and whereas no other facilities are available for the accommodation of students now enrolled and those seeking admission; and whereas the owners of property located adjacent to said College refuse to sell the property owned by them which is needed for the purpose of meeting the needs of said College, now, therefore, an emergency is hereby declared to exist and this Act shall be in full force and effect from and after its passage and approval."

Acts 1967, No. 3, § 3: July 1, 1967.

Acts 1967, No. 18, §§ 3, 4: July 1, 1967. Emergency clause provided: "The General Assembly hereby finds and determines that Arkansas State College is presently performing the functions of a University and this Act is immediately necessary to properly reflect the status and functions of said institution. Therefore, an emergency is declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety, shall be in effect from the date of its passage and approval." Approved January 27, 1967.

Acts 1975, No. 398, § 5: July 1, 1975. Emergency clause provided: "It is hereby found and determined by the Seventieth General Assembly that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1975 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1975 could work irreparable harm upon the proper administration and providing of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health, and safety shall be in full force and effect from and after July 1, 1975."

Acts 1975, No. 647, § 6: Mar. 28, 1975. Emergency clause provided: "It is hereby found and determined by the Seventieth

General Assembly that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1975, is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1975, could work irreparable harm upon the proper administration and providing of essential government programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health, and safety shall be in full force and effect from and after its passage and approval."

Acts 1985, No. 496, § 15: July 1, 1985. Emergency clause provided: "It is hereby found and determined by the Seventy-Fifth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1985 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1985 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1985."

Acts 1995, No. 1035, § 13: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby de-

clared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995.”

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: “It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.”

Acts 2003, No. 634, § 3: Mar. 24, 2003. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Code contains language that is obsolete; that other states with similar obsolete language have been forced to engage in legal matters relating to the oversight; and that this act is immediately necessary because a delay in implementation would cause a disruption in the educational programs of this state and the ability to provide certain agricultural related programs. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

Acts 2007, No. 1229, § 45: July 1, 2007. Emergency clause provided: “It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2007 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2007 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2007.”

Acts 2021, No. 18, § 23: Feb. 1, 2021. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that Henderson State University is scheduled for reaffirmation of accreditation based on requirements imposed by the regional Higher Learning Commission and federal regulations; that Henderson State University has already received from the Higher Learning Commission Board of Trustees one (1) extension of accreditation related to its Change of Control application wherein Henderson State University joins the Arkansas State University system; and that this act is immediately necessary because Henderson State University must host a focused visit within a certain time-frame in order to receive reaffirmation of accreditation and become a member institution of the Arkansas State University system. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

6-65-201. Board of Trustees of Arkansas State University system.

(a) There is created a board constituting the Board of Trustees of the Arkansas State University system.

(b)(1) The board shall consist of seven (7) members appointed from the state at large.

(2) The Governor, by and with the advice and consent of the Senate, shall appoint the members of the board.

(3) The Secretary of State shall furnish a certificate to each board member within ten (10) days following appointment, whereupon the appointee shall notify the Governor and the Secretary of State in writing of his or her acceptance of the appointment within thirty (30) days, and if the appointee shall fail to give such notice of his or her acceptance within the time required, then the appointment shall be declared void and another appointment shall be made.

(c)(1) Members of the board appointed by the Governor under the provisions of this section, in addition to possessing the qualifications of an elector, shall reside in the State of Arkansas.

(2)(A) The Governor, Attorney General, Secretary of State, Auditor of State, Treasurer of State, Commissioner of State Lands, a Justice of the Supreme Court, and the director or employees of any state department, state agency, or state institution shall be ineligible for membership on the board provided for in this section during the time for which he or she was elected or appointed.

(B) No individual may be a member of more than one (1) of the boards created under the provisions of § 25-17-201 at the same time.

(d)(1) The term of office for each member shall commence on January 15 and shall end on January 14 of the seventh year following the year in which the regular term commenced.

(2) On or before the fourteenth day following the commencement of each regular session of the General Assembly, the Governor shall submit to the Senate for approval the names of all unconfirmed appointments made by him or her to fill expired terms and the names of appointments to fill the terms expiring during the regular session of the General Assembly. The members appointed by the Governor to fill vacancies caused by the expiration of the terms of members may qualify and hold office until the appointments are rejected by the Senate.

(e) Vacancies on the board shall be filled by appointments by the Governor from the state at large.

(f) Any vacancies arising in the membership of the board for any reason other than the expiration of the regular terms for which the members were appointed shall be filled by the appointment of the Governor, subject to the approval by a majority of the remaining members of the board and shall be thereafter effective until the expiration of the regular terms.

(g)(1) Before entering upon his or her respective duties, each board member shall take and subscribe and file in the office of the Secretary

of State an oath to support the United States Constitution and the Arkansas Constitution and to faithfully perform the duties of the office upon which he or she is about to enter and that he or she will not be or become interested, directly or indirectly, in any contract made by the board.

(2)(A) Any violation of the oath shall be a Class B misdemeanor.

(B) Any contract entered into in violation of the oath shall be void.

(h) Members of the board provided for in this section may receive expense reimbursement in accordance with § 25-16-901 et seq.

(i)(1) The Governor shall have the power to remove any member of the board before the expiration of his or her term for cause only, after notice and hearing.

(2) The removal shall become effective only when approved in writing by a majority of the total number of the board, but the member removed or his or her successor shall have no right to vote on the question of removal.

(3) The removal action shall be filed with the Secretary of State, together with a complete record of the proceedings at the hearing.

(4)(A) An appeal may be taken to the Pulaski County Circuit Court by the Governor or the member ordered removed, and the appeal shall be tried de novo on the record of the hearing before the Governor.

(B) An appeal may be taken from the circuit court to the Supreme Court, which shall likewise be tried de novo.

History. Acts 1943, No. 1, §§ 2, 4-7; 1967, No. 3, § 2; 1967, No. 18, § 2; A.S.A. 1947, §§ 7-201, 7-203, 7-204 — 7-206, 80-3124.1; Acts 1997, No. 250, § 33; 2005, No. 1994, § 389; 2021, No. 18, §§ 2-4.

A.C.R.C. Notes. Acts 2021, No. 18, § 22, provided: “The terms of the two (2) additional members of the Board of Trustees of the Arkansas State University System appointed from the state at large by the Governor, by and with the advice and consent of the Senate, and created by this act shall be staggered as follows:

“(1) The term of the first additional member shall expire six (6) years from initial appointment; and

“(2) The term of the second additional member shall expire five (5) years from initial appointment.”

Publisher's Notes. Arkansas Constitution, Amendment 33, Section 1 provides, in part, that the terms of office for five-member boards are five years. The terms of the members of the Board of Trustees of Arkansas State University are

arranged so that one term expires every year.

Those provisions of Acts 1943, No. 1 which established honorary boards and commissions governing various state institutions are codified in full as § 25-17-201 et seq. and are codified with respect to particular institutions in this section and §§ 6-43-101, 6-43-102, 6-65-103, 6-65-202, 6-65-301, 6-65-302, 6-66-101 [repealed], 6-66-102, 6-67-102, and 6-67-103.

Acts 1943, No. 1, § 7, provided, in part, that as soon as practicable after January 14, 1943, the board created by this section would meet, organize, elect its officers, and transact such other business as might come before the meeting.

Amendments. The 2021 amendment, in (a), substituted “a board” for “an honorary board” and substituted “the Arkansas State University System” for “Arkansas State University”; substituted “seven (7) members” for “five (5) members” in (b)(1); and substituted “seventh year” for “fifth year” in (d)(1).

CASE NOTES

Cited: Jackson v. Bishop, 404 F.2d 571 (8th Cir. 1968); Walther v. McDonald, 243 Ark. 912, 422 S.W.2d 854 (1968).

6-65-202. Powers and duties of board.

(a) The Board of Trustees of the Arkansas State University system created in § 6-65-201 is charged with the management and control of the Arkansas State University system.

(b) The Board of Trustees of the Arkansas State University system shall have the power, authority, and duties formerly conferred by law on the board it succeeds.

History. Acts 1943, No. 1, § 3; A.S.A. 1947, § 7-202; Acts 2021, No. 18, § 5.

Publisher's Notes. Acts 1943, No. 1, § 1, in part, abolished the board or commission charged with the management or control of Arkansas State College.

Acts 1967, No. 3, § 1, and Acts 1967, No. 18, § 1, subsequently changed the

name of Arkansas State College to Arkansas State University.

As to codification of Acts 1943, No. 1, see Publisher's Notes to § 6-65-201.

Amendments. The 2021 amendment substituted "the Arkansas State University System" for "Arkansas State University" twice in (a).

CASE NOTES

Cited: Starnes v. Sadler, 237 Ark. 325, 372 S.W.2d 585 (1963); Jackson v. Bishop, 404 F.2d 571 (8th Cir. 1968).

6-65-203. Right of eminent domain.

(a) The right of eminent domain is granted to Arkansas State University located at Jonesboro, to condemn property, wherever and whenever the acquisition of property is necessary for the use of the university. However, homesteads as of March 28, 1947, shall not be deemed to come within the provisions of this section.

(b) All suits for condemnation of property under the provisions of this section shall be brought by the university in the name of the State of Arkansas.

(c)(1) Before any suit can be instituted, it shall be necessary for the Board of Trustees of the Arkansas State University system to pass a resolution to the effect that the acquisition of the property sought to be condemned is necessary for the use and benefit of the university.

(2) The resolution shall also set forth the purpose for which the lands are to be condemned, together with the legal description of the lands.

(d)(1) Upon adoption of the resolution, the board is authorized to request the prosecuting attorney of the district in which the lands are situated to assist in instituting proper proceedings for the condemnation of the lands.

(2) In the event any prosecuting attorney is requested to institute or to assist in instituting such proceedings, it shall then be the duty of that prosecuting attorney to comply with the request of the board.

(e) It shall be the duty of the Attorney General of the State of Arkansas to handle all appeals taken to the Supreme Court of the state from any such actions.

History. Acts 1947, No. 333, §§ 1-3; substituted "the Arkansas State University System" for "Arkansas State University" in (c)(1).
A.S.A. 1947, §§ 80-3121 — 80-3123; Acts 2021, No. 18, § 6.

Amendments. The 2021 amendment

6-65-204. Disbursing agent — Drawing vouchers.

(a) In view of the uncertainty as to the maximum amount of funds to be realized from tax sources, the disbursing agent is directed to inform himself or herself at all times as to the condition of the cash balance to the credit of his or her institution.

(b) No voucher shall be drawn unless at the time of its execution there is sufficient credit on the Treasurer of State's books to pay the voucher when converted into a warrant and all other warrants previously issued in pursuance of vouchers executed by the disbursing agent.

History. Acts 1939, No. 294, § 5; A.S.A. 1947, § 80-3120.

6-65-205. Participation in federal or state aid authorized.

Arkansas State University is designated and directed to provide for and to participate in the educational training activities which have been or are designated, and in the funds appropriated therefor, by the United States Government for the support of educational programs, for the improved preparation of teachers, both general and vocational, for the support of the Civilian Conservation Corps and Farm Security Administration or other federal agencies engaged in agricultural conservation service, for transportation of children, for improved housing, for night schools, for noncredit educational service, for rural libraries, for vocational guidance, for experimentation and research, for educational planning and demonstrations, and such other federal and state funds as may be provided for the improvement of the administration and facilities of education in the public schools of Arkansas at the elementary, secondary, and collegiate levels.

History. Acts 1941, No. 207, § 4.

A.C.R.C. Notes. The Civilian Conservation Corps and the Farm Security Ad-

ministration, referred to in this section, were federal programs that no longer exist.

6-65-206. Real estate research and educational program.

There is established and shall be conducted at Arkansas State University at Jonesboro a research and educational program in real estate to be known as the "Ray Worthington Chair of Real Estate".

History. Acts 1975, No. 647, § 1; A.S.A. 1947, § 80-3148. was to replace and supersede the Verdon M. Bennett Chair of Real Estate established by Acts 1973, No. 418 with the Ray

Publisher's Notes. Acts 1975, No. 647, § 4, provided that the intent of the act Worthington Chair of Real Estate.

6-65-207. College of Engineering Management.

(a) The General Assembly determines that:

(1) There is urgent need in the State of Arkansas to prepare persons with training and expertise in the field of engineering and the fundamentals of management;

(2) Current needs of Arkansas's diversified industry and the demands for future expansion will require engineers in managerial positions who have a broad-based education that would enable them to make managerial and administrative decisions from an engineering viewpoint;

(3) The orderly development of Arkansas in the areas of environmental control, energy recovery, waste processing, community hygiene, land utilization, and other related areas requires personnel who can translate engineering principles into effective action while performing as responsible managers;

(4) Studies have disclosed that approximately two-thirds ($\frac{2}{3}$) of engineers eventually assume managerial responsibility; and

(5) It is essential to the continued growth and development of the State of Arkansas that appropriate college-level training be provided in the state for persons in the area of engineering management.

(b) It is the intent and purpose of this section to fill this urgent need by establishing a college of engineering management at Arkansas State University at Jonesboro to provide college-level training for new entrants into the field of engineering management, in-service training for practicing engineers who will eventually assume managerial duties, for persons planning to assist municipalities with their systematic growth and development, and for other appropriate personnel in similar or related fields.

(c) There is created and established and there shall be maintained and operated at Arkansas State University at Jonesboro the College of Engineering Management.

(d) The curriculum, schedule, and administrative structure of the college shall be established and determined in the same manner as in other colleges at Arkansas State University.

History. Acts 1975, No. 398, §§ 1, 2; A.S.A. 1947, §§ 80-3149, 80-3150.

6-65-208. ASU-Beebe — Board of trustees.

The Board of Trustees of the Arkansas State University system is empowered to exercise any powers, rights, and obligations in regard to Arkansas State University-Beebe that it is now empowered and authorized by law to exercise in regard to Arkansas State University.

History. Acts 1955, No. 84, § 4; A.S.A. 1947, § 80-3138; Acts 2001, No. 90, § 1; 2021, No. 18, § 7.

Publisher's Notes. Acts 1943, No. 1, in part, created an honorary board of management constituting the Board of Trustees of the Junior Agricultural College which succeeded to the powers and duties of the board or commission formerly charged with the management or control of the Junior Agricultural College and which was abolished by section 1 of the act.

Acts 1955, No. 84, § 1, provided that the Junior Agricultural College located at Beebe, Arkansas, would become the Beebe Branch of the Arkansas State College of the First District (now Arkansas State

University). Pursuant to §§ 2 and 3 of the act, all powers, duties, obligations, property, etc. of the Board of Trustees of the Junior Agricultural College were transferred to the Board of Trustees of Arkansas State College and all contractual obligations of the Junior Agricultural College were assumed by the Beebe Branch. Facilities of the Junior Agricultural College were incorporated into the Beebe Branch pursuant to § 4 of the act.

Acts 1967, No. 3, § 1, and No. 18, § 1, changed the name of Arkansas State College to Arkansas State University.

Amendments. The 2021 amendment substituted "the Arkansas State University System" for "Arkansas State University".

6-65-209, 6-65-210. [Repealed.]

Publisher's Notes. These sections, concerning counties composing district for ASU-Beebe and course of study, were repealed by Acts 2021, No. 18, § 8, effective February 1, 2021. The sections were derived from the following sources:

6-65-209. Acts 1927, No. 132, § 3; Pope's Dig., § 12974; A.S.A. 1947, § 80-3136; Acts 2001, No. 90, § 2.

6-65-210. Acts 1927, No. 132, § 5; Pope's Dig., § 12976; A.S.A. 1947, § 80-3139.

6-65-211. ASU-Beebe — Faculty and staff.

(a) The faculty of Arkansas State University-Beebe shall consist of:

(1) A principal, who shall be a graduate of some reputable school of agriculture and well versed in practical farming in such soils as surround the university;

(2) One (1) instructor in stock raising, poultry, and dairying, who shall have had practical work as such; and

(3) Such assistants as may be necessary.

(b) The Board of Trustees of the Arkansas State University system may combine the duties of any of the positions listed in subsection (a) of this section when practical.

History. Acts 1927, No. 132, § 6; Pope's Dig., § 12977; A.S.A. 1947, § 80-3140; Acts 2001, No. 90, § 3; 2021, No. 18, § 9.

A.C.R.C. Notes. Acts 1991, No. 1084, § 8, provides: "The Arkansas State University — Beebe shall be exempt from the provisions of Arkansas Code § 19-4-1707

to the extent that Arkansas State University — Beebe shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding

the awarding of grants or contracts, and providing that the term of their employment with Arkansas State University — Beebe does not exceed 25% of that required for a full-time employee.”

Amendments. The 2021 amendment, in (b), substituted “the Arkansas State University System” for “Arkansas State University” and “positions listed in subsection (a) of this section” for “above”.

6-65-212. ASU-Beebe — Tuition and admissions.

(a) The tuition in Arkansas State University-Beebe shall be determined by the Board of Trustees of the Arkansas State University system.

(b) The board may limit the number of students from time to time according to the capacity and means of the institution and shall make such rules of admission as to equalize as nearly as practical the privileges of the university among the counties composing the district according to population.

(c) No student under fifteen (15) years of age shall be admitted as a student of the university.

History. Acts 1927, No. 132, § 8; Pope’s Dig., § 12979; A.S.A. 1947, § 80-3142; Acts 2003, No. 634, § 2; 2021, No. 18, § 10.

Amendments. The 2021 amendment substituted “the Arkansas State University System” for “Arkansas State University” in (a).

6-65-213. [Repealed.]

Publisher’s Notes. This section, concerning ASU-Beebe and labor performed by students, was repealed by Acts 2021, No. 18, § 11, effective February 1, 2021.

The section was derived from Acts 1927, No. 132, § 7; Pope’s Dig., § 12978; A.S.A. 1947, § 80-3141; Acts 2019, No. 315, § 386.

6-65-214. ASU-Beebe — Rental of unused property authorized.

The Board of Trustees of the Arkansas State University system is authorized to rent to the best advantage from time to time any portion of the property of Arkansas State University-Beebe not required for the immediate use of the university.

History. Acts 1927, No. 132, § 8; Pope’s Dig., § 12979; A.S.A. 1947, § 80-3142; Acts 2021, No. 18, § 12.

substituted “the Arkansas State University System” for “Arkansas State University”.

Amendments. The 2021 amendment

6-65-215. ASU-Beebe — Cooperation with other agricultural schools.

Arkansas State University-Beebe shall cooperate with other agricultural schools in operation by reporting to them the results of its experiments, and they shall mutually agree upon the publication of bulletins for free distribution as they deem to be of interest to those engaged in agricultural pursuits.

History. Acts 1927, No. 132, § 9; Pope's Dig., § 12980; A.S.A. 1947, § 80-3143; Acts 2001, No. 90, § 4.

6-65-216. ASU-Beebe — Fund created.

The Arkansas State University-Beebe Fund is created for the operation, maintenance, and improvement of Arkansas State University-Beebe.

History. Acts 1955, No. 84, § 5; A.S.A. 1947, § 80-3137; Acts 2001, No. 90, § 5.

6-65-217. Arkansas State Technical Institute — Legislative findings, determinations, and intent.

It is found and determined by the Seventy-Fifth General Assembly of the State of Arkansas that:

(1) The education and employment of its populace are two (2) of the highest goals of modern government;

(2) Technological advancements in industrial production and business are changing the means and methods in which business is conducted in world markets;

(3) Existing businesses and industries in Arkansas must respond to these changes in order to survive;

(4) If the state is to develop a stronger economic base, steps must be taken to provide existing businesses and industries with the tools necessary for continued development, and new industries must be convinced of the state's desire to have them locate within our borders;

(5) In both instances a highly educated and trained work force is an essential element;

(6) Although improvements have been and are being made in secondary and postsecondary vocational and technical education programs in the state, no program currently exists which combines applied advanced mathematics and science and general education with highly technical vocational programs at the certificate and associate degree level; and

(7) The financial resources of the state dictate that such a program should be established for the State of Arkansas.

History. Acts 1985, No. 496, § 5; A.S.A. 1947, § 80-3151; Acts 2021, No. 18, § 13.

Amendments. The 2021 amendment deleted (b).

6-65-218. [Repealed.]

Publisher's Notes. This section, concerning establishment of the Arkansas State Technical Institute, was repealed by Acts 2021, No. 18, § 14, effective Febru-

ary 1, 2021. The section was derived from Acts 1985, No. 496, § 6; A.S.A. 1947, § 80-3152; Acts 2001, No. 90, § 6.

6-65-219. [Repealed.]

Publisher's Notes. This section, concerning the Arkansas State Technical Institute advisory council, was repealed by

Acts 1995, No. 366, § 1. The section was derived from Acts 1985, No. 496, § 7; A.S.A. 1947, § 80-3153.

6-65-220. Arkansas State Technical Institute — Courses of study and training.

- (a) The Arkansas State Technical Institute shall provide educational programs which combine academic skills and vocational training in highly technical employment fields.
- (b) The institute shall offer courses of study leading to certificates and associate degrees and shall also offer such short-term programs as needed.

History. Acts 1985, No. 496, § 6; A.S.A. 1947, § 80-3152.

6-65-221 — 6-65-224. [Repealed.]

Publisher's Notes. These sections, concerning the Arkansas State Technical Institute general operations, admissions, advanced placement, etc., tuition, fees, charges, etc., and reporting requirements, were repealed by Acts 2021, No. 18, § 15, effective February 1, 2021. The sections were derived from the following sources:

6-65-221. Acts 1985, No. 496, § 8; A.S.A. 1947, § 80-3154; Acts 2001, No. 90, § 7; 2019, No. 315, § 387.

6-65-222. Acts 1985, No. 496, § 8; A.S.A. 1947, § 80-3154; Acts 2019, No. 315, § 388.

6-65-223. Acts 1985, No. 496, § 8; A.S.A. 1947, § 80-3154.

6-65-224. Acts 1985, No. 496, § 9; A.S.A. 1947, § 80-3155.

6-65-225. [Repealed.]

Publisher's Notes. This section, concerning consolidation of administrative functions, was repealed by Acts 2007, No.

1229, § 16. The section was derived from Acts 1995, No. 1035, § 6.

6-65-226. Housing allowance.

Upon approval by the Board of Trustees of the Arkansas State University system, the chancellor, or the director if there is no chancellor, of a campus of the Arkansas State University system may receive a housing allowance in an amount not to exceed one thousand five hundred dollars (\$1,500) per month in lieu of college housing.

History. Acts 1995, No. 1035, § 7; 2001, No. 90, § 8; 2021, No. 18, § 16.

Amendments. The 2021 amendment substituted “the Arkansas State University System” for “Arkansas State Univer-

sity” twice, “of a campus” for “of the various campuses”, and “one thousand five hundred dollars (\$1,500) per month” for “four hundred dollars (\$400) per month”.

SUBCHAPTER 3 — ARKANSAS TECH UNIVERSITY

SECTION.

6-65-301. Board of Trustees of Arkansas Tech University.

6-65-302. Powers and duties of board.

6-65-303. Hot Springs Branch.

SECTION.

6-65-304. Lease of coal, oil, gas, and mineral lands.

6-65-305. Easements.

6-65-306. [Repealed.]

A.C.R.C. Notes. Acts 1991, No. 637, § 11, provided: "The Arkansas Tech University shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that Arkansas Tech University shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with Arkansas Tech University does not exceed 25% of that required for a full-time employee."

Publisher's Notes. Acts 1925, No. 45, § 1, in part, changed the name of the Second District Agricultural School of Russellville, Arkansas, to Arkansas Polytechnic College.

Acts 1975, No. 343, § 1, provided, in part, that the board of trustees of any state-supported, accredited four-year institution of higher learning in Arkansas could, by appropriate action of the board taken only on or before September 1, 1976, provide university status for the institution and select and adopt an appropriate name for the institution. The section further provided that the name selected must be approved by the State Board of Higher Education, which was responsible for coordinating the name selections in order to prevent the selection of names which were duplications of, or would cause confusion with, the names of other state institutions of higher learning. The name of Arkansas Polytechnic College was subsequently changed to Arkansas Tech University.

Effective Dates. Acts 1943, No. 1, § 9: Jan. 14, 1943. Emergency clause provided: "It is hereby found and declared that amendment No. 33 to the Constitution of the State of Arkansas, which will become effective on January 15, 1943, provides that the General Assembly shall

arrange the terms of office of the members of boards charged with the management or control of all charitable, penal or correctional institutions and institutions of higher learning of the State of Arkansas in such manner that the term of office of one member of said board shall expire each year and that said amendment further provides that the unexpired terms of members serving on the effective date of the amendment shall not be decreased; and, it is further found and declared that the terms of members of all of said Boards do not expire in a manner which will make operative all of the provisions of said amendment. It is found, therefore, that delay in the effective date of this act will create confusion by reason of the uncertain status of present board members, and, that in order to preserve the public peace, health and safety, an emergency is hereby declared to exist, and this act shall take effect and be in full force from and after its passage and approval."

Acts 1959, No. 147, § 3: Mar. 3, 1959. Emergency clause provided: "It has been found and is declared by the General Assembly that certain responsible business concerns are engaged in securing leases on lands in the vicinity of and adjacent to lands belonging to Arkansas Polytechnic College or to the State and held for the benefit of the college for the purpose of exploring for and exploiting coal, oil, gas, or other minerals, and the power of the Board of Trustees of the college to execute such a lease is doubtful under existing law; that the college urgently needs the proceeds to be expected from the leasing of such lands; and that enactment of this measure will guarantee the college against possible loss because of any lack of power in the premises. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health and safety, shall take effect and be in force from the date of its approval."

Acts 1963, No. 201, § 3: Mar. 8, 1963. Emergency clause provided: "It has been found and is declared by the General Assembly that certain construction is proceeding on the Arkansas River in the vicinity of and adjacent to lands belonging to Arkansas Polytechnic College or to the State and held for the benefit of the college for the purpose of utilizing the Arkansas River by dams, flooding, bank control and levees, and the power of the Board of Trustees of the college to execute such an easement is doubtful under existing law; that the college urgently needs the authority to negotiate for the easement of lands or such lands will be condemned; and that enactment of this measure will guarantee the college against possible loss because of any lack of power in the premises. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health and safety, shall take effect and be in force from the date of its approval."

Acts 1971, No. 676, § 15: Apr. 7, 1971. Emergency clause provided: "It is hereby found and determined that it may be necessary to extend the regular session of the Sixty-Eighth General Assembly as authorized in the Constitution; that under the provisions of Amendment 7 to the Constitution, enactments of the General Assembly that do not have an emergency clause do not become effective until ninety (90) days after the date of final adjournment of the General Assembly; that the extended session of the General Assembly may not adjourn in time for this Act to take effect prior to July 1, 1971, thereby depriving the agency for which funds are appropriated herein of necessary operat-

ing funds to commence the next fiscal biennium; and in order that the appropriation made herein may be available on July 1, 1971, the General Assembly hereby determines that the immediate passage of this Act is necessary for the maintenance and operation of the essential governmental services. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval, provided that the appropriation authorized herein shall not be available until July 1, 1971."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-65-301. Board of Trustees of Arkansas Tech University.

(a) There is created an honorary board constituting the Board of Trustees of Arkansas Tech University.

(b)(1) The board shall consist of five (5) members to be appointed from the counties in the Second Agricultural and Mechanical District.

(2) The Governor, by and with the advice and consent of the Senate, shall appoint the members of the board.

(3) The Secretary of State shall furnish a certificate to each board member within ten (10) days following appointment, whereupon the appointee shall notify the Governor and the Secretary of State in writing of his or her acceptance of the appointment within thirty (30)

days, and if the appointee shall fail to give such notice of his or her acceptance within the time required, then the appointment shall be declared void and another appointment shall be made.

(c)(1) Members of the board appointed by the Governor under the provisions of this section, in addition to possessing the qualifications of an elector, shall reside in the State of Arkansas.

(2)(A) The Governor, Attorney General, Secretary of State, Auditor of State, Treasurer of State, Commissioner of State Lands, a Justice of the Supreme Court, and the director or employees of any state department, state agency, or state institution shall be ineligible for membership on the board provided for in this section during the time for which he or she was elected or appointed.

(B) No individual may be a member of more than one (1) of the boards created under the provisions of § 25-17-201 at the same time.

(d)(1) The term of office for each member shall commence on January 15 and shall end on January 14 of the fifth year following the year in which the regular term commenced.

(2) The Governor shall submit to the Senate for approval, on or before the fourteenth day following the commencement of each regular session of the General Assembly the names of all unconfirmed appointments made by him or her to fill expired terms and the names of appointments to fill the terms expiring during the regular session of the General Assembly. The members appointed by the Governor to fill vacancies caused by the expiration of the terms of members may qualify and hold office until the appointments are rejected by the Senate.

(e) Any vacancies arising in the membership of the board for any reason other than the expiration of the regular terms for which the members were appointed shall be filled by the appointment of the Governor, subject to the approval by a majority of the remaining members of the board and shall be thereafter effective until the expiration of the regular terms.

(f)(1) Before entering upon his or her respective duties, each board member shall take and subscribe and file in the Office of the Secretary of State an oath to support the United States Constitution and the Arkansas Constitution and to faithfully perform the duties of the office upon which he or she is about to enter and that he or she will not be or become interested, directly or indirectly, in any contract made by the board.

(2)(A) Any violation of the oath shall be a Class B misdemeanor.

(B) Any contract entered into in violation of the oath shall be void.

(g) Members of the board provided for in this section may receive expense reimbursement in accordance with § 25-16-901 et seq.

(h)(1) The Governor shall have the power to remove any member of the board before the expiration of his or her term for cause only, after notice and hearing.

(2) The removal shall become effective only when approved in writing by a majority of the total number of the board, but the member removed or his or her successor shall have no right to vote on the question of removal.

(3) The removal action shall be filed with the Secretary of State together with a complete record of the proceedings at the hearing.

(4)(A) An appeal may be taken to the Pulaski County Circuit Court by the Governor or the member ordered removed, and the appeal shall be tried de novo on the record of the hearing before the Governor.

(B) An appeal may be taken from the circuit court to the Supreme Court, which shall likewise be tried de novo.

History. Acts 1943, No. 1, §§ 2, 4-7; A.S.A. 1947, §§ 7-201, 7-203, 7-204 — 7-206; Acts 1997, No. 250, § 34; 2005, No. 1994, § 390.

Publisher's Notes. Arkansas Constitution, Amendment 33, § 1, provided, in part, that the terms of office of five-member boards are five years. The terms of the members of the Board of Trustees of Arkansas Tech University are arranged so that one term expires every year.

Those provisions of Acts 1943, No. 1 which established honorary boards and

commissions governing various state institutions are codified in full as § 25-17-201 et seq. and are codified with respect to particular institutions in this section and §§ 6-43-101, 6-43-102, 6-65-103, 6-65-201, 6-65-202, 6-65-302, 6-66-101 [repealed], 6-66-102, 6-67-102, and 6-67-103.

Acts 1943, No. 1, § 7, provided, in part, that as soon as practicable after January 14, 1943, the board created by this section would meet, organize, elect their officers, and transact such other business as might come before the meeting.

CASE NOTES

Cited: Jackson v. Bishop, 404 F.2d 571 (8th Cir. 1968); Walther v. McDonald, 243 Ark. 912, 422 S.W.2d 854 (1968).

6-65-302. Powers and duties of board.

(a) The Board of Trustees of Arkansas Tech University created in § 6-65-301 is charged with the management and control of Arkansas Tech University.

(b) The Board of Trustees of Arkansas Tech University shall have the power, authority, and duties formerly conferred by law on the board it succeeds.

History. Acts 1943, No. 1, § 3; A.S.A. 1947, § 7-202.

Publisher's Notes. The board created by § 6-65-301 succeeded to the powers, authority, and duties of the board or commission which was formerly charged with

the management or control of the Arkansas Polytechnic College, now Arkansas Tech University, and which was abolished by Acts 1943, No. 1, § 1.

As to codification of Acts 1943, No. 1, see Publisher's Notes to § 6-65-301.

CASE NOTES

Cited: Starnes v. Sadler, 237 Ark. 325, 372 S.W.2d 585 (1963); Jackson v. Bishop, 404 F.2d 571 (8th Cir. 1968).

6-65-303. Hot Springs Branch.

(a) The Board of Trustees of Arkansas Tech University is authorized to establish in Hot Springs, a branch of Arkansas Tech University and shall operate thereat courses of instruction at less than baccalaureate degree programs.

(b) The board is authorized to establish appropriate rules for the operation of that campus.

History. Acts 1971, No. 676, § 7; 2019, No. 315, § 389.

Publisher's Notes. Acts 1971, No. 676, § 7, in part, transferred Garland County to, and provided that it would thereafter be a part of, the second district for the

purpose of Acts 1909, No. 100, as amended.

Amendments. The 2019 amendment deleted "and regulations" following "rules" in (b).

6-65-304. Lease of coal, oil, gas, and mineral lands.

(a) The Board of Trustees of Arkansas Tech University is empowered to lease lands belonging to Arkansas Tech University or to the state and held for the benefit of the university for the purpose of exploration for and exploitation of coal, oil, gas, or other minerals.

(b) To that end, the board may execute and deliver for and on behalf of the state and the university a lease or leases containing such terms and conditions as the board may deem proper and in the best interest of the state and the university.

(c) The proceeds from any such lease shall be placed in a bank account of the university and may be expended for the benefit of the university at the discretion of the board.

History. Acts 1959, No. 147, §§ 1, 2; A.S.A. 1947, §§ 80-3133, 80-3134.

6-65-305. Easements.

(a) The Board of Trustees of Arkansas Tech University is empowered to grant and convey easements of lands belonging to Arkansas Tech University or to the state and held for the benefit of the university.

(b) To that end, the board may execute and deliver for and on behalf of the state and the university an easement or easements containing such terms and conditions as the board may deem proper and in the best interest of the state and the university.

(c) The proceeds from any such easement shall be placed in a bank account of the university and may be expended for the benefit of the university at the discretion of the board.

History. Acts 1963, No. 201, §§ 1, 2; A.S.A. 1947, §§ 80-3144, 80-3145.

6-65-306. [Repealed.]

Publisher's Notes. This section, concerning the housing allowance for the President of Arkansas Tech University,

was repealed by Acts 1999, No. 240, § 6. The section was derived from Acts 1993, No. 761, § 11.

SUBCHAPTER 4 — SOUTHERN ARKANSAS UNIVERSITY

SECTION.

- 6-65-401. Board of Trustees of Southern Arkansas University.
- 6-65-402. Board of trustees — Powers and duties.
- 6-65-403. Right of eminent domain.
- 6-65-404. SAU-Tech.
- 6-65-405. [Repealed.]
- 6-65-406. El Dorado Branch.
- 6-65-407. El Dorado Branch Advisory Committee.
- 6-65-408. Appropriations.

SECTION.

- 6-65-409. Housing allowance for chancellor — SAU-Tech.
- 6-65-410. Housing allowance for chancellor — El Dorado Branch.
- 6-65-411. SAU-Tech — Arkansas Environmental Training Academy.
- 6-65-412. SAU-Tech — Declared emergency — Transfer of appropriations.
- 6-65-413. School of Veterinary Medicine.

A.C.R.C. Notes. Acts 1991, No. 1118, § 14, provided: "The Southern Arkansas University — Southwest Technical Institute Division shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the Southern Arkansas University — Southwest Technical Institute Division shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the Southern Arkansas University — Southwest Technical Institute Division does not exceed 25% of that required for a full-time employee."

Acts 1991, No. 1125, § 6, provided: "The Southern Arkansas University shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the Southern Arkansas University shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the Southern Arkansas University does not exceed 25% of that required for a full-time employee."

Publisher's Notes. Acts 1925, No. 45, § 1, in part, changed the name of the Third District Agricultural School located at Magnolia to Agricultural and Mechanical College, third district.

Acts 1951, No. 11, § 1, changed the name of the Third District Agricultural and Mechanical College to Southern State College.

Acts 1975, No. 343, § 1, provided, in part, that the board of trustees of any state-supported, accredited four-year institution of higher learning in Arkansas could, by appropriate action of the board taken only on or before September 1, 1976, provide university status for the institution and select and adopt an appropriate name for the institution. The section further provided that the name selected must be approved by the State Board of Higher Education, which was responsible for coordinating the name selections in order to prevent the selection of names which were duplications of, or would cause confusion with, the names of other state institutions of higher learning. The name was subsequently changed to Southern Arkansas University.

Effective Dates. Acts 1945, No. 7, § 7: approved Jan. 26, 1945. Emergency clause provided: "It is hereby found and declared that Act Number One of the Acts of the General Assembly of 1943 abolished the Board of Trustees for the Third District

Agricultural and Mechanical College and made no provisions for the appointment of a new Board of Trustees for said College and because of the present uncertain status of the Trustees for the Third District Agricultural and Mechanical College great confusion has arisen; and, that in order to preserve the public peace, health and safety, an emergency is hereby declared to exist and this act shall take effect and be in full force from and after its passage."

Acts 1975, No. 171, § 4: July 1, 1975. Emergency clause provided: "It is hereby found and determined by the General Assembly that the higher educational needs of this State, and especially of those citizens living in South Arkansas, may be better met by the expansion and coordination of educational and training services and facilities as provided in this Act, and that in order to enable the Board of Trustees and of Southern State College to make preparations for the expansion of duties of said Board of Trustees and of Southern State College, as authorized in this Act, it is necessary that this Act take effect on July 1, 1975, and that without the immediate passage hereof, and extension of the Regular Session of the Seventieth General Assembly could unduly delay the effectiveness of this Act. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after July 1, 1975."

Acts 1989 (1st Ex. Sess.), No. 152, § 28: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and pro-

vision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2011, No. 1087, § 14: July 1, 2011. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2011 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2011 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2011."

6-65-401. Board of Trustees of Southern Arkansas University.

(a) The Governor, by and with the advice and consent of the Senate, shall appoint a board of five (5) members as trustees for Southern Arkansas University.

(b) The board shall constitute the Board of Trustees of Southern Arkansas University and shall be appointed from the counties in the Third Agricultural and Mechanical College District.

(c)(1) All board members appointed under the provisions of this section shall be qualified electors and shall reside in the State of Arkansas.

(2) The Governor, Attorney General, Secretary of State, Auditor of State, Treasurer of State, Commissioner of State Lands, and Justices of the Supreme Court, and the director or employees of any state department, state agency, or state institution shall not be eligible for membership on the board appointed under this section.

(d) The Governor shall submit to the Senate for approval, on or before the fourteenth day following the commencement of each regular session of the General Assembly, the names of all unconfirmed appointments made by him or her to fill expired terms and the names of appointments to fill the terms expiring during the regular session of the General Assembly. However, members appointed by the Governor to fill vacancies caused by the expiration of the terms of members may qualify and hold office until such appointments shall be rejected by the Senate.

(e)(1) The Secretary of State shall furnish a certificate to each board member within ten (10) days following appointment, whereupon the appointee shall notify the Governor and the Secretary of State in writing of his or her acceptance of the appointment within thirty (30) days.

(2) If the appointee fails to give such notice of his or her acceptance within the time required, then the appointment shall be declared void and another appointment shall be made.

(f)(1) The regular term of office of the members of the board to be appointed by the Governor under the provisions of this section shall be arranged in such a manner that the term of one (1) of the board members shall expire on January 14 of each year.

(2) The term of office shall commence on January 15 immediately following the expiration date of the preceding term and shall end on January 14 of the fifth year following the year in which the regular term commenced.

(g) Any vacancies arising in the membership of the board for any reason other than the expiration of the regular terms for which the members were appointed shall be filled by the appointment of the Governor, subject to the approval by a majority of the remaining members of the board and shall be thereafter effective until the expiration of the regular term unless the appointment is rejected by the Senate at the next regular session of the General Assembly.

(h)(1) Before entering upon his or her respective duties, each board member shall take, subscribe, and file in the office of the Secretary of

State an oath to support the United States Constitution and the Arkansas Constitution and to faithfully perform the duties of the office upon which he or she is about to enter and that he or she will not be or become interested, directly or indirectly, in any contract made by the board.

(2)(A) Any violation of the oath shall be a Class B misdemeanor.

(B) Any contract entered into in violation of the oath shall be void.

(i)(1) The Governor shall have the power to remove any member of the board before the expiration of his or her term for cause only, after notice and hearing.

(2) The removal shall become effective only when approved in writing by a majority of the total number of the board but without the right to vote by the member to be removed or his or her successor, which action shall be filed with the Secretary of State with a complete record of the proceedings at the hearing.

(3)(A) An appeal may be taken to the Pulaski County Circuit Court by the Governor or the member ordered removed, and the cause shall be tried de novo on the record of the hearing before the Governor.

(B) An appeal may be taken from the circuit court to the Supreme Court, which shall likewise be tried de novo.

History. Acts 1945, No. 7, §§ 1, 3-5;
A.S.A. 1947, §§ 80-3124, 80-3126 — 80-3128; Acts 2005, No. 1994, § 391.

6-65-402. Board of trustees — Powers and duties.

The Board of Trustees of Southern Arkansas University appointed under the provisions of § 6-65-401 is charged with the management and control of Southern Arkansas University.

History. Acts 1945, No. 7, § 2; A.S.A. 1947, § 80-3125.

Publisher's Notes. Acts 1945, No. 7, § 2, provided, in part, that the Board of Trustees for the Third District Agricultural and Mechanical College, now South-

ern Arkansas University, would have the powers and duties, and would take over all property and obligations of, the board abolished by Acts 1943, No. 1, § 1 and the honorary board of management established by Acts 1943, No. 1, § 2 (13).

6-65-403. Right of eminent domain.

(a) The right of eminent domain is granted to Southern Arkansas University located at Magnolia to condemn property wherever and whenever the acquisition of property is necessary for the use of the university.

(b) All suits for condemnation of property under the provisions of this section shall be brought by the university in the name of the State of Arkansas.

(c)(1) Before any suit can be instituted, it shall be necessary for the Board of Trustees of Southern Arkansas University to pass a resolution to the effect that the acquisition of the property sought to be condemned is necessary for the use and benefit of the university.

(2) The resolution shall also set forth the purpose for which the lands are to be condemned, together with the legal description of the lands.

(d)(1) Upon adoption of the resolution, the board is authorized to request the prosecuting attorney of the district in which the lands are situated to assist in instituting proper proceedings for the condemnation of the lands.

(2) In the event any prosecuting attorney is requested to institute or to assist in instituting such proceedings, it shall then be the duty of the prosecuting attorney to comply with the request of the board.

(e) Before this right and power is utilized in any individual case, the board shall exercise every reasonable effort to obtain the property in question at a reasonable price by negotiation, and the trial court shall so find.

(f) It shall be the duty of the Attorney General of the State of Arkansas to handle all appeals taken to the Supreme Court of the state from any such actions.

History. Acts 1957, No. 136, §§ 1-3; A.S.A. 1947, §§ 80-3130.1 — 80-3130.3.

6-65-404. SAU-Tech.

(a) The Board of Trustees of Southern Arkansas University and the President of Southern Arkansas University shall operate SAU-Tech as a technical division of Southern Arkansas University.

(b) The board, through the president, is authorized to establish appropriate rules for the operation of SAU-Tech.

(c) The board shall operate the properties belonging to the division in accordance with the terms of and for the respective purposes as set forth in the conveyances and agreements by which the properties were donated to the Career Education and Workforce Development Board.

History. Acts 1975, No. 171, § 2; A.S.A. 1947, § 80-3125.2; Acts 1993, No. 447, § 2; 2019, No. 315, § 390.

A.C.R.C. Notes. Acts 2016, No. 194, § 25, provided:

“(a) As referenced in Section 3(c) of Act 1147 of 2015, the authorized funding for the SAU-Tech for construction, renovation, maintenance, critical maintenance, equipment, security enhancements, technology upgrades/equipment and furnishings for the Auto Body Shop Building shall be deemed to also include costs of campus safety and technology upgrades and replacement.

“(b) As referenced in Section 3(c) of Act 1518 of 2013 and Section 3(c) of Act 1519 of 2013, the authorized funding for the SAU-Tech for construction, renovation, maintenance, critical maintenance, equipment, security enhancements, technology

upgrades/equipment and furnishings for the Auto Body Shop Building shall be deemed to also include costs of campus safety and technology upgrades and replacement.

“(c) As referenced in Section 3(c) of Act 1096 of 2011 and Section 3(c) of Act 1117 of 2011, the authorized funding for the SAU-Tech for construction, renovation and equipment for the Auto Body Building shall be deemed to also include costs of campus safety and technology upgrades and replacement.”

Publisher's Notes. Acts 1975, No. 171, § 2, provided, in part, for the transfer of Southwest Technical Institute at Camden to the control of the Board of Trustees of Southern State College, (now Southern Arkansas University). Section 2 further provided for the transfer of all properties and funds of the Southwest Technical In-

stitute by the State Board of Vocational Education to Southern State College, (now Southern Arkansas University). The Board of Trustees of Southern State College was to assume all liabilities and obligations of Southwest Technical Institute. Section 2 further provided that all personnel of the Southwest Technical Institute who were members of the Teacher Retirement System of Arkansas would be eli-

gible to continue to participate therein and that nothing in the act would deprive any member of the Southwest Technical Institute of any rights, privileges, or benefits they had acquired as employees of the institute prior to the date of its transfer to Southern Arkansas University.

Amendments. The 2019 amendment deleted "and regulations" following "rules" in (b).

6-65-405. [Repealed.]

Publisher's Notes. This section, concerning SAU-Tech advisory committee, was repealed by Acts 2007, No. 302, § 1. The section was derived from Acts 1975,

No. 171, § 2; A.S.A. 1947, § 80-3125.2; Acts 1993, No. 447, § 3; 1997, No. 250, § 35.

6-65-406. El Dorado Branch.

(a) The Board of Trustees of Southern Arkansas University is authorized to establish and operate in or near El Dorado a branch of Southern Arkansas University to be known as Southern Arkansas University, El Dorado Branch, and shall operate at the campus a program of junior college instruction, including offerings of community college instruction as contemplated by Acts 1973, No. 103 [repealed].

(b) The Arkansas Higher Education Coordinating Board is authorized to recognize the El Dorado Branch and shall have all powers and duties with respect to the El Dorado Branch as provided to the Arkansas Higher Education Coordinating Board for other state-supported community colleges and institutions of higher education.

(c)(1) The Board of Trustees of Southern Arkansas University shall serve as the Board of Trustees of Southern Arkansas University, El Dorado Branch.

(2) The Board of Trustees of Southern Arkansas University shall exercise all powers and duties for the Southern Arkansas University, El Dorado Branch campus as the Board of Trustees of Southern Arkansas University is authorized by law to exercise for the Magnolia campus of the university.

(3) The Board of Trustees of Southern Arkansas University may acquire land and improvements thereon by gift, grant, donation, or purchase and may rent or lease buildings and facilities as deemed necessary for the efficient operation of the Southern Arkansas University, El Dorado Branch.

History. Acts 1975, No. 171, § 1; A.S.A. 1947, § 80-3125.1.

A.C.R.C. Notes. Acts 1991, No. 639, § 5, provided: "The Southern Arkansas University — El Dorado Branch shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the

Southern Arkansas University — El Dorado Branch shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding

the awarding of grants or contracts, and providing that the term of their employment with the Southern Arkansas Univer-

sity — El Dorado Branch does not exceed 25% of that required for a full-time employee.”

6-65-407. El Dorado Branch Advisory Committee.

(a) There is established a Southern Arkansas University, El Dorado Branch Advisory Committee.

(b)(1) The committee shall consist of seven (7) members to be appointed by the Board of Trustees of Southern Arkansas University.

(2) The members of the committee shall be qualified electors of this state residing in the area served by the El Dorado Branch. The committee shall consist of persons interested in community college instruction.

(c) Members shall be appointed for terms of four (4) years.

(d) The committee shall organize by electing one (1) of its members as chair and electing such other officers as the committee shall deem appropriate.

(e) Members of the committee shall serve without pay but may receive expense reimbursement in accordance with § 25-16-901 et seq.

(f) The committee shall advise the Board of Trustees of Southern Arkansas University and the President of Southern Arkansas University and the Chancellor of Southern Arkansas University, El Dorado Branch and the administrative officers of Southern Arkansas University, El Dorado Branch, in regard to all aspects of the operation of Southern Arkansas University, El Dorado Branch.

History. Acts 1975, No. 171, § 1; A.S.A. 1947, § 80-3125.1; Acts 1997, No. 250, § 36.

Publisher's Notes. The terms of the members of the Southern Arkansas Uni-

versity, El Dorado Branch Advisory Committee are arranged so that four (4) terms expire every two (2) years and three (3) terms expire every four (4) years.

6-65-408. Appropriations.

(a) Moneys appropriated by the General Assembly for the operation, construction, and equipment of the Magnolia campus, SAU-Tech, and the Southern Arkansas University, El Dorado Branch shall be made by separate appropriations in order to assure each campus of its intended level of support.

(b) Funds appropriated for construction and equipment or for the maintenance and operation of each campus shall not be used for any other purpose.

History. Acts 1975, No. 171, § 1; A.S.A. 1947, § 80-3125.1; Acts 1993, No. 447, § 4.

6-65-409. Housing allowance for chancellor — SAU-Tech.

Upon approval by the Board of Trustees of Southern Arkansas University, the Chancellor of SAU-Tech may receive a housing allowance in an amount not to exceed four hundred dollars (\$400) per month in lieu of college housing.

History. Acts 1989 (1st Ex. Sess.), No. 152, § 15; 1993, No. 447, § 5.

6-65-410. Housing allowance for chancellor — El Dorado Branch.

Upon approval by the Board of Trustees of Southern Arkansas University, the Chancellor of Southern Arkansas University, El Dorado Branch may receive a housing allowance in an amount not to exceed four hundred dollars (\$400) per month in lieu of college housing.

History. Acts 1989 (1st Ex. Sess.), No. 152, § 10.

6-65-411. SAU-Tech — Arkansas Environmental Training Academy.

The division of SAU-Tech currently known as the SAU-Tech Environmental Control Center shall now be known and cited as the Arkansas Environmental Training Academy.

History. Acts 2009, No. 156, § 1.

6-65-412. SAU-Tech — Declared emergency — Transfer of appropriations.

(a) If the Governor declares that an emergency exists and the Arkansas Fire Training Academy is required to lend assistance, the Arkansas Fire Training Academy may make appropriation transfers from either:

- (1) General revenue; or
- (2) Cash.

(b) A transfer made under subsection (a) of this section shall not increase the total amount appropriated for the Arkansas Fire Training Academy.

(c) Any appropriation transfer made under subsection (a) of this section shall be reported to the Legislative Council or Joint Budget Committee within ninety (90) days of the date of the transfer.

History. Acts 2011, No. 1087, § 11.

6-65-413. School of Veterinary Medicine.

The Board of Trustees of Southern Arkansas University may design and establish a school of veterinary medicine at Southern Arkansas University in Magnolia, after obtaining approval and authorization from the Arkansas Higher Education Coordinating Board under § 6-61-207.

History. Acts 2011, No. 1210, § 1.

CHAPTER 66

HENDERSON STATE UNIVERSITY

SECTION.

- 6-66-101. [Repealed.]
- 6-66-102. Abolishment of board.
- 6-66-103. [Repealed.]

SECTION.

- 6-66-104 — 6-66-109. [Repealed.]
- 6-66-110 — 6-66-113. [Repealed.]
- 6-66-114, 6-66-115. [Repealed.]

Publisher’s Notes. Acts 1929, No. 46, § 1, provided for the donation of the Henderson-Brown College in Arkadelphia, Arkansas, by the Chamber of Commerce of Arkadelphia, Clark County, Arkansas, and the Methodist Episcopal Church South to the State of Arkansas to be operated, maintained, and supported by the state as a standard teacher’s college of the same class and standard as the State Teachers College at Conway, now University of Central Arkansas. Acts 1929, No. 46, § 16, provided that if no appropriation was made for the maintenance and operation of Henderson-Brown College after it was taken over and received by the state, the property would revert to the donors.

Acts 1975, No. 4, § 1, changed the name of Henderson State College to Henderson State University. Section 2 of that act provided that the Board of Trustees of Henderson State College would be known as the Board of Trustees of Henderson State University. Section 2 further provided that the Board of Trustees of Henderson State University would be selected in the manner then provided by law and that it would have all the rights, responsibilities, and liabilities with respect to the operation of Henderson State University formerly exercised with respect to Henderson State College. Section 3 of Acts 1975, No. 4, provided that all laws then in effect applicable to Henderson State College would remain in effect and be applicable to Henderson State University. The

section further provided that all such laws referring to Henderson State College or its board of trustees would thereafter be taken and understood to refer to Henderson State University and to the Board of Trustees of Henderson State University, respectively.

Effective Dates. Acts 1929, No. 46, § 18: effective on passage.

Acts 1941, No. 128, § 7: approved Mar. 11, 1941. Emergency clause provided: “It is found and declared that the boards of the educational institutions of this State should be as free of politics as possible, and that elective or appointive officers of the State, because of the press of other duties, are not able to devote the time and attention to the interest of the educational institutions that should be devoted by board members; that some members of the Board of Henderson State Teachers’ College and of Teachers’ College at Conway do not reside in the territory from which the said colleges draw most of their students and were established to serve; that it would be to the best interests of the institutions to reorganize the boards governing them at the earliest possible date, and that it is therefore necessary for the preservation of the public peace, health and safety that this act become effective without delay; an emergency is hereby declared and this act shall take effect and be in force from and after its passage.”

Acts 1943, No. 1, § 9: Jan. 14, 1943. Emergency clause provided: “It is hereby

found and declared that amendment No. 33 to the Constitution of the State of Arkansas, which will become effective on January 15, 1943, provides that the General Assembly shall arrange the terms of office of the members of boards charged with the management or control of all charitable, penal or correctional institutions and institutions of higher learning of the State or Arkansas in such manner that the term of office of one member of said board shall expire each year and that said amendment further provides that the unexpired terms of members serving on the effective date of the amendment shall not be decreased; and, it is further found and declared that the terms of members of all of said Boards do not expire in a manner which will make operative all of the provisions of said amendment. It is found, therefore, that delay in the effective date of this act will create confusion by reason of the uncertain status of present board members, and, that in order to preserve the public peace, health and safety, an emergency is hereby declared to exist, and this act shall take effect and be in full force from and after its passage and approval."

Acts 2021, No. 18, § 23: Feb. 1, 2021. Emergency clause provided: "It is found

and determined by the General Assembly of the State of Arkansas that Henderson State University is scheduled for reaffirmation of accreditation based on requirements imposed by the regional Higher Learning Commission and federal regulations; that Henderson State University has already received from the Higher Learning Commission Board of Trustees one (1) extension of accreditation related to its Change of Control application wherein Henderson State University joins the Arkansas State University system; and that this act is immediately necessary because Henderson State University must host a focused visit within a certain time-frame in order to receive reaffirmation of accreditation and become a member institution of the Arkansas State University system. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-66-101. [Repealed.]

Publisher's Notes. This section, concerning the Board of Trustees of Henderson State University, was repealed by Acts 2021, No. 18, § 17, effective February 1, 2021. The section was derived from Acts 1929, No. 46, §§ 6, 7; Pope's Dig.,

§§ 13111, 13112; Acts 1941, No. 128, § 6; 1943, No. 1, §§ 2, 4-7; A.S.A. 1947, §§ 7-201, 7-203, 7-204 — 7-206, 80-2704, 80-2705; Acts 1997, No. 250, § 37; 2005, No. 1994, § 392; 2009, No. 595, § 8.

6-66-102. Abolishment of board.

(a) The Board of Trustees of Henderson State University is abolished as a separate entity with responsibility for the governance of Henderson State University and is transferred to the control of the Board of Trustees of the Arkansas State University system.

(b) The Board of Trustees of Henderson State University shall:

(1) Relinquish all responsibility, control, and supervision concerning Henderson State University; and

(2) Be divested of all obligations and duties applicable to Henderson State University that are abolished by this section.

(c) The Board of Trustees of the Arkansas State University system shall become vested with and succeed to all of the following that were

vested with the Board of Trustees of Henderson State University before its abolishment under subsection (a) of this section:

- (1) Rights;
- (2) Powers;
- (3) Interests;
- (4) Duties;
- (5) Responsibilities;
- (6) Titles; and
- (7) Interests in and to all:
 - (A) Real property; and
 - (B) Personal property.

History. Acts 1929, No. 46, § 3; Pope's Dig., § 13108; Acts 1941, No. 128, § 4; 1943, No. 1, § 3; A.S.A. 1947, §§ 7-202, 80-2703; Acts 2003, No. 1230, § 1; 2019, No. 315, § 391; 2021, No. 18, § 18.

Publisher's Notes. The board created by § 6-66-101 [repealed] succeeded to the power, authority, and duties of the board or commission which was formerly charged with the management or control of Henderson State Teachers College, now

Henderson State University, and was charged with the liabilities of the corporate body it succeeded, which was abolished by Acts 1943, No. 1, § 1.

Amendments. The 2019 amendment substituted "rules" for "regulations" in (d)(4).

The 2021 amendment substituted "Abolishment" for "Powers and duties" in the section heading; and rewrote the section.

CASE NOTES

Cited: *Starnes v. Sadler*, 237 Ark. 325, 372 S.W.2d 585 (1963); *Jackson v. Bishop*, 404 F.2d 571 (8th Cir. 1968).

6-66-103. [Repealed.]

Publisher's Notes. This section, concerning participation in federal and state aid, was repealed by Acts 2021, No. 18, §

19, effective February 1, 2021. The section was derived from Acts 1941, No. 173, § 5.

6-66-104 — 6-66-109. [Repealed.]

Publisher's Notes. These sections, concerning course of study, selection of instructors and pupils, admissions requirements, tuition and fees, degrees, and conservatory of fine arts, were repealed by Acts 2003, No. 1230, § 2. The sections were derived from the following sources:

6-66-104. Acts 1929, No. 46, § 8; Pope's Dig., § 13113; A.S.A. 1947, § 80-2706.

6-66-105. Acts 1929, No. 46, § 8; Pope's Dig., § 13113; A.S.A. 1947, § 80-2706.

6-66-106. Acts 1929, No. 46, § 9; Pope's Dig., § 13114; A.S.A. 1947, § 80-2707.

6-66-107. Acts 1929, No. 46, §§ 9, 13; Pope's Dig., §§ 13114, 13118; A.S.A. 1947, §§ 80-2707, 80-2711.

6-66-108. Acts 1929, No. 46, § 14; Pope's Dig., § 13119; A.S.A. 1947, § 80-2712.

6-66-109. Acts 1929, No. 46, § 15; Pope's Dig., § 13120; A.S.A. 1947, § 80-2713.

6-66-110 — 6-66-113. [Repealed.]

Publisher's Notes. These sections, concerning custodian of funds and payment of bills and accounts, limitation of expenditures, right of eminent domain, and report by board of trustees, were repealed by Acts 2021, No. 18, § 20, effective February 1, 2021. The sections were derived from the following sources:

6-66-110. Acts 1929, No. 46, §§ 10, 11; Pope's Dig., §§ 13115, 13116; A.S.A. 1947, §§ 80-2708, 80-2709.

6-66-111. Acts 1929, No. 46, § 12; Pope's Dig., §§ 13101, 13117; A.S.A. 1947, § 80-2710.

6-66-112. Acts 1959, No. 16, §§ 1-3; A.S.A. 1947, §§ 80-2716 — 80-2718.

6-66-113. Acts 1929, No. 46, § 17; Pope's Dig., § 13121; A.S.A. 1947, § 80-2715; Acts 2019, No. 910, § 2012.

6-66-114, 6-66-115. [Repealed.]

Publisher's Notes. Former §§ 6-66-114 and 6-66-115, concerning housing allowances, were repealed by Acts 1999, No. 240, §§ 7, 8. The sections were derived from the following sources:

6-66-114. Acts 1995, No. 1158, § 8.

6-66-115. Acts 1997, No. 685, § 7.

CHAPTER 67**UNIVERSITY OF CENTRAL ARKANSAS****SECTION.**

6-67-101. Establishment and purpose.

6-67-102. Board of Trustees of the University of Central Arkansas.

6-67-103. Powers and duties of board.

6-67-104. Participation in federal and state aid authorized.

6-67-105. Course of study.

6-67-106. Model school.

6-67-107. Selection of instructors and students.

SECTION.

6-67-108, 6-67-109. [Repealed.]

6-67-110. [Repealed.]

6-67-111. Custodian of funds — Payment of bills and accounts.

6-67-112. Limitation of expenditures.

6-67-113. Payroll deductions.

6-67-114. Biennial report to General Assembly.

A.C.R.C. Notes. Acts 1991, No. 809, § 7, provided: "The University of Central Arkansas shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the University of Central Arkansas shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the University of Central Arkansas does not exceed 25% of that required for a full-time employee."

Publisher's Notes. Acts 1925, No. 31, § 1, changed the name of Arkansas State Normal School to Arkansas State Teachers' College. Acts 1967, No. 5, § 1, changed the name of the Arkansas State Teachers' College to the State College of Arkansas. Acts 1975, No. 3, § 1, changed the name of the State College of Arkansas to the University of Central Arkansas and § 2 of the act provided in part that the University of Central Arkansas would succeed to all the rights and benefits, and would assume all the responsibilities of, the State College of Arkansas.

Effective Dates. Acts 1907, No. 317, § 20: effective on passage.

Acts 1909, No. 100, § 12: effective on passage.

Acts 1941, No. 128, § 7: approved Mar. 11, 1941. Emergency clause provided: "It is found and declared that the boards of the educational institutions of this State should be as free of politics as possible, and that elective or appointive officers of the State, because of the press of other duties, are not able to devote the time and attention to the interest of the educational institutions that should be devoted by board members; that some members of the Board of Henderson State Teachers' College and of Teachers' College at Conway do not reside in the territory from which the said colleges draw most of their students and were established to serve; that it would be to the best interests of the institutions to reorganize the boards governing them at the earliest possible date, and that it is therefore necessary for the preservation of the public peace, health and safety that this act become effective without delay; an emergency is hereby declared and this act shall take effect and be in force from and after its passage."

Acts 1943, No. 1, § 9: Jan. 14, 1943. Emergency clause provided: "It is hereby found and declared that amendment No. 33 to the Constitution of the State of Arkansas, which will become effective on January 15, 1943, provides that the General Assembly shall arrange the terms of office of the members of boards charged with the management or control of all charitable, penal or correctional institutions and institutions of higher learning of the State of Arkansas in such manner that the term of office of one member of said board shall expire each year and that said amendment further provides that the unexpired terms of members serving on the effective date of the amendment shall not be decreased; and, it is further found and declared that the terms of members of all of said Boards do not expire in a manner which will make operative all of the provisions of said amendment. It is found, therefore, that delay in the effective date of this act will create confusion by reason of the uncertain status of present board members, and, that in order to preserve the public peace, health and safety, an emergency is hereby declared to exist, and this act shall take effect and be in full force from and after its passage and approval."

Acts 1975, No. 3, § 5: Jan. 21, 1975. Emergency clause provided: "It is hereby found and determined by the General Assembly of the State of Arkansas that this Act is immediately necessary to meet the expanding needs and responsibilities of the State College of Arkansas to provide additional educational activities on a university level on a statewide basis, and to more adequately fulfill its changing role as a multi-purpose institution of higher learning. The General Assembly further finds that the enrollment of this State-supported institution of higher learning and the expanded needs and demands for additional services to meet the higher educational needs of the State of Arkansas and its people necessitates the immediate implementation of steps to convert and expand the programs of said institution to include educational opportunities at the university level, and that the immediate passage of this Act is necessary to accomplish the aforementioned purposes. Therefore an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety, shall take effect and be in full force from and after its passage and approval."

Acts 1989 (1st Ex. Sess.), No. 45, § 11: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to be the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1992 (1st Ex. Sess.), No. 24, § 6 and No. 25, § 7: Mar. 5, 1992. Emergency clause provided: "It is hereby found and determined by the General Assembly that some of the language in the law establishing the University of Central Arkansas is

obsolete and should be eliminated as soon as possible. Since this act will eliminate the obsolete language, an emergency is hereby declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2005, No. 891, § 2: Mar. 16, 2005. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the University of Central Arkansas is in dire need of additional student housing; that the provisions of this act will enable the University of Central Arkansas to acquire and lease student housing; and that it is necessary that this act become effective May 15, 2005 to enable the University of Central Arkansas to complete student housing plans before the beginning of the 2005 fall semester. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its

approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2019, No. 724, § 10: July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2019 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2019 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2019."

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-67-101. Establishment and purpose.

For the purposes of providing educational opportunities at the university level on a statewide basis and more adequately fulfilling its changing role as a multipurpose, comprehensive institution of higher education, there is established and maintained an institution to be known as the University of Central Arkansas.

History. Acts 1907, No. 317, § 1, p. 1992 (1st Ex. Sess.), No. 24, § 1; 1992 (1st 762; C. & M. Dig., § 9586; Pope's Dig., Ex. Sess.), No. 25, § 1. § 13083; A.S.A. 1947, § 80-2601; Acts

6-67-102. Board of Trustees of the University of Central Arkansas.

(a) There is created an honorary board constituting the Board of Trustees of the University of Central Arkansas, which is made and constituted a body politic and corporate.

(b)(1) The board shall consist of seven (7) members.

(2) The Governor, by and with the advice and consent of the Senate, shall appoint the members of the board.

(3) The Secretary of State shall furnish a certificate to each board member within ten (10) days following appointment, whereupon the appointee shall notify the Governor and the Secretary of State in writing of his or her acceptance of the appointment within thirty (30) days, and if the appointee shall fail to give such notice of his or her acceptance within the time required, then the appointment shall be declared void and another appointment shall be made.

(c)(1) Members of the board appointed by the Governor under the provisions of this section, in addition to possessing the qualifications of an elector, shall reside in the State of Arkansas.

(2)(A) The Governor, Attorney General, Secretary of State, Auditor of State, Treasurer of State, Commissioner of State Lands, a Justice of the Supreme Court, and the director or employees of any state department, state agency, or state institution shall be ineligible for membership on the board provided for in this section during the time for which he or she was elected or appointed.

(B) No individual may be a member of more than one (1) of the boards created under the provisions of § 25-17-201 at the same time.

(d)(1) The term of office for each member shall commence on January 15 and shall end on January 14 of the seventh year following the year in which the regular term commenced.

(2) The Governor shall submit to the Senate for approval, on or before the fourteenth day following the commencement of each regular session of the General Assembly, the names of all unconfirmed appointments made by him or her to fill expired terms and the names of appointments to fill the terms expiring during the regular session of the General Assembly. The members appointed by the Governor to fill vacancies caused by the expiration of the terms of members may qualify and hold office until the appointments are rejected by the Senate.

(e) Any vacancies arising in the membership of the board for any reason other than the expiration of the regular terms for which the members were appointed shall be filled by the appointment of the Governor, subject to the approval by a majority of the remaining members of the board, and shall be thereafter effective until the expiration of the regular terms.

(f) Before entering upon his or her respective duties, the trustee shall make and subscribe to an affidavit to faithfully, diligently, and impartially discharge the duties of his or her office.

(g)(1)(A) There shall be one (1) regular meeting of the board each year, to be held within thirty (30) days after the close of commencement week.

(B) Called meetings may be held at the request of the president or of any two (2) members of the board if at least seven (7) days' written notice is given in advance to each member of the called meeting, except in cases of emergency, when three (3) days' notice is sufficient.

(2) The board shall elect from its members a chair who shall preside at the meetings of the board, a vice chair who shall preside at the meetings of the board in the absence of the regular chair, and a secretary who shall keep the records of the meetings of the board. The secretary need not be a member of the board.

(3) A majority of the board shall constitute a quorum.

(4) Members of the board provided for in this section may receive expense reimbursement in accordance with § 25-16-901 et seq.

(h)(1) The Governor shall have the power to remove any member of the board before the expiration of his or her term for cause only, after notice and hearing.

(2) The removal shall become effective only when approved in writing by a majority of the total number of the board, but the member removed or his or her successor shall have no right to vote on the question of removal.

(3) The removal action shall be filed with the Secretary of State together with a complete record of the proceedings at the hearing.

(4)(A) An appeal may be taken to the Pulaski County Circuit Court by the Governor or the member ordered removed, and the appeal shall be tried de novo on the record of the hearing before the Governor.

(B) An appeal may be taken from the circuit court to the Supreme Court, which shall likewise be tried de novo.

History. Acts 1907, No. 317, §§ 5, 6, p. 762; 1909, No. 100, § 5; C. & M. Dig., §§ 9590, 9591; Pope's Dig., §§ 13094, 13095; Acts 1941, No. 128, § 3; 1943, No. 1, §§ 2, 4-7; A.S.A. 1947, §§ 7-201, 7-203, 7-204 — 7-206, 80-2606, 80-2607; Acts 1997, No. 250, § 38; 2005, No. 891, § 1; 2005, No. 1994, § 393.

A.C.R.C. Notes. This section is set out as amended by Acts 2005, No. 891, § 1,

which specifically deleted the criminal provision. Subsection (f) of this section was also amended by Acts 2005, No. 1994, § 393, to read as follows:

“(f)(1) Before entering upon his or her respective duties, each board member shall take and subscribe, and file in the office of the Secretary of State, an oath to support the United States Constitution and the Arkansas Constitution, to faith-

fully perform the duties of the office upon which he or she is about to enter, and that he or she will not be or become interested, directly or indirectly, in any contract made by the board.

"(2)(A) Any violation of the oath shall be a Class B misdemeanor.

"(B) Any contract entered into in violation of the oath shall be null and void."

Publisher's Notes. Arkansas Constitution, Amendment 33, § 1, provided, in part, that the terms of office of seven-member boards are seven years.

Those provisions of Acts 1943, No. 1 which established honorary boards and commissions governing various state institutions are codified in full as § 25-17-201 et seq. and are codified with respect to particular institutions in this section and §§ 6-43-101, 6-43-102, 6-65-103, 6-65-201, 6-65-202, 6-65-301, 6-65-302, 6-66-101 [repealed], 6-66-102, and 6-67-103.

Acts 1943, No. 1, § 7, provided, in part, that as soon as practicable after January 14, 1943, the board created by this section

would meet, organize, elect their officers, and transact such other business as might come before the meeting.

Acts 1975, No. 3, § 2, provided, in part, that the Board of Trustees of the State College of Arkansas would thereafter be designated as the Board of Trustees of the University of Central Arkansas.

Acts 1975, No. 3, § 3, provided that nothing in the act would have the effect of making any change in the personnel or tenure of office of any member of the Board of Trustees of the State College of Arkansas. The section further provided that the Board of Trustees of the State College of Arkansas would continue to serve as members of the Board of Trustees of the University of Central Arkansas as if the University of Central Arkansas had been the school's name at the time of the appointment of the then-existing members of the board.

Cross References. Meetings generally, § 25-17-208.

CASE NOTES

Cited: Jackson v. Bishop, 404 F.2d 571 (8th Cir. 1968); Walther v. McDonald, 243 Ark. 912, 422 S.W.2d 854 (1968).

6-67-103. Powers and duties of board.

(a) The Board of Trustees of the University of Central Arkansas created in § 6-67-102 is charged with the management and control of the University of Central Arkansas.

(b) The board shall have the power, authority, and duties formerly conferred by law on the board which it succeeds, including those set forth in this section.

(c) The board shall be charged with the liabilities of the corporate body which it succeeds.

(d)(1) The board shall:

(A) Have perpetual succession of officers and members;

(B) Have the right to use and keep a common seal and to alter the seal at will;

(C) Have the right to contract and be contracted with; and

(D) Have the right to own, purchase, sell, and convey property, real, personal, and mixed, and be authorized and empowered to receive and hold donations, devises, bequests, and legacies for the use and benefit of the university, provided that all property purchased under the authority of this chapter shall be free from liens and encumbrances and that the title to the property as well as to any donation that the board may receive shall be taken in the name of the

members of the board and shall become the property of the State of Arkansas.

(2) The board shall have full power and authority from time to time to make, constitute, and establish such bylaws, rules, and orders not inconsistent with law as to the board seems necessary for the regulation, government, and control of the board as trustees and all officers, teachers, and other persons by the board employed in and about the university, all persons in the university, and regarding limitations as to number of pupils to be admitted.

(3) The board shall fix and regulate tuition and all fees, costs, and other charges for attendance at the university.

(4) Admission requirements shall be established by the board, in accordance with policies adopted by the board, consistent with the laws and rules of this state.

(5) The board shall have the authority to grant diplomas and degrees.

History. Acts 1907, No. 317, § 2, p. 762; C. & M. Dig., § 9587; Pope's Dig., § 13091; Acts 1941, No. 128, § 1; 1943, No. 1, § 3; 1975, No. 3, § 2; A.S.A. 1947, § 7-202, 80-2602.2, 80-2605; Acts 2003, No. 207, § 1; 2019, No. 315, § 392.

Publisher's Notes. The board created by § 6-67-102 succeeded to the power, authority, and duties of the board which was charged with the management or control of Arkansas State Teachers College, and was charged with the liabilities of the corporate body it succeeded, which was abolished by Acts 1943, No. 1, § 1.

Acts 1975, No. 3, § 2 provided, in part, that the Board of Trustees of the University of Central Arkansas would possess all

the rights, power and authority of the Board of Trustees of the State College of Arkansas, which was also known as Arkansas State Teachers College.

As to codification of Acts 1943, No. 1, see Publisher's Notes to § 6-67-102.

Amendments. The 2019 amendment substituted "rules" for "regulations" in (d)(4).

Cross References. Authorization for college extension courses, § 6-60-401 et seq.

Cooperative education program in state government, § 21-3-501 et seq.

Regulations as to establishment of branch campuses, § 6-61-303.

CASE NOTES

Cited: *Parsons v. Burns*, 846 F. Supp. 1372 (W.D. Ark. 1993).

6-67-104. Participation in federal and state aid authorized.

In order to qualify for federal aid to education in its several phases and at different levels of training and activities, the University of Central Arkansas is designated and directed to provide for and to participate in the educational training activities which have been or may be designated, and in the funds appropriated therefor by the United States Government, for the support of educational programs, for the improved preparation of teachers, both general and vocational, for transportation of children, for improved housing, for night schools, for noncredit educational service, for rural libraries, for vocational guidance, for experimentation and research, for educational planning and

demonstrations, and such other federal and state funds as may be provided for the improvement of the administration and facilities of education in the schools of Arkansas at the elementary, secondary, and collegiate levels.

History. Acts 1943, No. 349, § 3.

6-67-105. Course of study.

The Board of Trustees of the University of Central Arkansas shall prescribe the course of study for the University of Central Arkansas.

History. Acts 1907, No. 317, § 9, p. 762; C. & M. Dig., § 9594; Pope's Dig., § 13098; A.S.A. 1947, § 80-2609.

6-67-106. Model school.

The Board of Trustees of the University of Central Arkansas may provide for the establishment of a model school for practice in connection with the University of Central Arkansas and shall make the necessary rules for the government and support of the model school.

History. Acts 1907, No. 317, § 8, p. 762; C. & M. Dig., § 9593; Pope's Dig., § 13097; A.S.A. 1947, § 80-2608; Acts 2003, No. 207, § 2; 2019, No. 315, § 393.

Amendments. The 2019 amendment substituted "rules" for "regulations".

6-67-107. Selection of instructors and students.

The Board of Trustees of the University of Central Arkansas shall elect instructors and fix their salaries and determine the conditions, subject to limitations specified in this chapter, on which pupils shall be admitted to the privileges of the school, but no election shall be valid unless at least four (4) members of the board shall vote in favor of the applicant whose name is being considered.

History. Acts 1907, No. 317, § 9, p. 762; C. & M. Dig., § 9594; Pope's Dig., § 13098; A.S.A. 1947, § 80-2609.

CASE NOTES

ANALYSIS

Due Process.
Election.

Due Process.

Board held to fully satisfy constitutional requirements for notice and a hearing before it offered instructor one year terminal contract. House v. University of

Cent. Ark., 684 F. Supp. 222 (E.D. Ark. 1988).

Election.

A property interest in tenured status did not arise from the vote by three trustees to award a special tenured contract. Since the requisite four votes needed to comply with this section were lacking, the action was, in effect, a nullity. House v.

University of Cent. Ark., 684 F. Supp. 222 (E.D. Ark. 1988).

6-67-108, 6-67-109. [Repealed.]

Publisher's Notes. These sections, concerning admissions requirements, tuition, and fees, were repealed by Acts 2003, No. 207, §§ 3, 4. The sections were derived from the following sources:

6-67-108. Acts 1907, No. 317, § 11, p. 762; C. & M. Dig., § 9596; Pope's Dig., § 13100; A.S.A. 1947, § 80-2611.

6-67-109. Acts 1907, No. 317, §§ 8, 15; C. & M. Dig., §§ 9593, 9600; Acts 1927, No. 26, § 4; Pope's Dig., §§ 13090, 13097, 13104; A.S.A. 1947, §§ 80-2604, 80-2608, 80-2615.

6-67-110. [Repealed.]

Publisher's Notes. This section, concerning scholarships, was repealed by Acts 1992 (1st Ex. Sess.), Nos. 24 and 25, § 2. The section was derived from Acts

1907, No. 317, § 10, p. 762; C. & M. Dig., § 9595; Pope's Dig., § 13099; A.S.A. 1947, § 80-2610.

6-67-111. Custodian of funds — Payment of bills and accounts.

(a) The Treasurer of State shall be the custodian of the funds of the Board of Trustees of the University of Central Arkansas, and he or she shall pay out the funds of the institution only upon warrant issued by the Auditor of State.

(b) The Auditor of State shall issue warrants upon vouchers issued by the President of the Board of Trustees of the University of Central Arkansas and attested by the Secretary of the Board of Trustees of the University of Central Arkansas.

(c) All bills and accounts against the institution shall be made out and receipted in duplicate, and when forwarding the payroll and expense list each month, the president of the board shall forward one (1) set of such bills and vouchers to be filed in the office of the Auditor of State and kept for public inspection.

History. Acts 1907, No. 317, §§ 12, 13, p. 762; C. & M. Dig., §§ 9597, 9598; Pope's Dig., §§ 13101, 13102; A.S.A. 1947, §§ 80-2612, 80-2613.

6-67-112. Limitation of expenditures.

(a) It is made the duty of the Board of Trustees of the University of Central Arkansas to limit the number of teachers and their compensation and all the actual expenses thereof to the aggregate amount appropriated by the General Assembly for that purpose plus donations and bequests and the income that may be derived from the vested funds of the institution.

(b) All expenditures made by the board in excess of the funds mentioned in this section are declared unlawful and void.

History. Acts 1907, No. 317, § 14, p. 762; C. & M. Dig., § 9599; Pope's Dig., § 13103; A.S.A. 1947, § 80-2614.

6-67-113. Payroll deductions.

(a) The Board of Trustees of the University of Central Arkansas may permit deductions from the payrolls of university employees, if the employees authorize the deduction in writing, for contributions to:

- (1) The University of Central Arkansas Foundation, Inc.; or
- (2) Other programs or services authorized by the board and provided by the University of Central Arkansas to its employees.

(b)(1) Payroll deductions under subsection (a) of this section may include voluntary payroll deductions for employees using on-campus programs and facilities.

(2) Payroll deductions under this subsection shall not be made on a pretax basis.

(3) This subsection does not reduce or eliminate payroll regulations otherwise established by law.

History. Acts 1989 (1st Ex. Sess.), No. 45, § 7; 2003, No. 207, § 5; 2019, No. 724, § 6.

A.C.R.C. Notes. Former § 6-67-113, concerning the University of Central Arkansas Foundation, Inc. payroll deductions, is deemed to be superseded by this section. The former section was derived

from Acts 1987, No. 695, § 7. A similar provision which was also codified as § 6-67-113, and was previously superseded, was derived from Acts 1985, No. 627, § 7.

Amendments. The 2019 amendment added (b) and designated the former section as (a); and inserted "in writing" in the introductory language of (a).

6-67-114. Biennial report to General Assembly.

(a) The Board of Trustees of the University of Central Arkansas shall biennially make a report to the General Assembly at the beginning of its regular session.

(b) The report shall be incorporated in the report of the Director of the Division of Higher Education and shall set forth the financial and scholastic condition of the University of Central Arkansas, furnish such suggestions as in the board's judgment are necessary for the improvement of the university, and shall make any further recommendations that may seem wise and expedient to the board.

History. Acts 1907, No. 317, § 19, p. 762; C. & M. Dig., § 9602; Pope's Dig., § 13105; A.S.A. 1947, § 80-2616; Acts 2009, No. 962, § 7; 2019, No. 910, § 2013.

Publisher's Notes. In 2021, "Commissioner of Elementary and Secondary Education" was changed to "Director of the Division of Higher Education" in this sec-

tion at the direction of the Arkansas Code Revision Commission, pursuant to § 25-43-109.

Amendments. The 2019 amendment substituted "Division of Elementary and Secondary Education" for "Department of Education" in (b).

CHAPTER 68

ELECTRONIC INSTRUCTIONAL MATERIAL

SECTION.

6-68-101. Definitions.

6-68-102. Electronic version of printed instructional material.

6-68-103. Student use requirement.

6-68-104. Electronic versions of non-printed instructional material.

SECTION.

6-68-105. Transcription into braille — Requests for electronic instructional material.

6-68-106. Copyright protection.

6-68-107. Guidelines.

6-68-108. Violation.

Effective Dates. Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded sections of this act preceding the emergency clause titled 'Funding and

classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-68-101. Definitions.

For purposes of this chapter:

(1) "Institution of higher education" means any accredited post-secondary educational institution, college, or university in this state;

(2)(A)(i) "Instructional material or materials" means textbooks and other materials written and published primarily for use by students that are required or essential to a student's success in a course of study in which a student with a disability is enrolled.

(ii) The determination of which materials are required or essential to student success shall be made by the instructor of the course in consultation with the official making the request pursuant to § 6-68-102(4) in accordance with guidelines issued pursuant to § 6-68-107.

(B) "Instructional material or materials" includes nontextual mathematics and science materials to the extent that software is commercially available to permit the conversion of existing electronic files of the materials into a format that is compatible with braille translation software of alternative media for students with disabilities;

(3) "Nonprinted instructional materials" means instructional materials in formats other than print and includes instructional materials that require the availability of electronic equipment in order to be used as a learning resource, including, but not limited to, software programs, video disks, and video and audio tapes;

(4) "Printed instruction material or materials" means instructional material or materials in book or other printed form;

(5) "Specialized format" means braille, audio, or digital text that is exclusively for use by blind or other persons with disabilities; and

(6)(A) "Structural integrity" means all of the printed instructional material, including, but not limited to, the text of the material sidebars, the table of contents, chapter headings and subheadings, footnotes, indexes, glossaries, and bibliographies.

(B) "Structural integrity" need not include nontextual elements such as pictures, illustrations, graphs, or charts. If good faith efforts fail to produce an agreement pursuant to § 6-68-102 between the publisher or manufacturer and the official making the request pursuant to § 6-68-102(4) in accordance with guidelines issued pursuant to § 6-68-107, as to an electronic format that will preserve the structural integrity of the printed instructional material, the publisher or manufacturer shall provide the instructional material in American Standard Code for Information Interchange text and shall preserve as much of the structural integrity of the printed instructional material as possible.

History. Acts 2001, No. 758, § 1.

RESEARCH REFERENCES

U. Ark. Little Rock L. Rev. Survey of assembly, Education Law, 24 U. Ark. Little Rock L. Rev. 453.
Legislation, 2001 Arkansas General As-

6-68-102. Electronic version of printed instructional material.

An individual, firm, partnership, or corporation that publishes or manufactures printed instructional materials for students attending any institution of higher education in the State of Arkansas shall provide to the accredited institution of higher education for use by students of that school any printed instructional material in an electronic format mutually agreed upon by the publisher or manufacturer and the school. Computer files or electronic versions of printed instructional materials shall maintain the structural integrity of the printed instructional material, be compatible with commonly used braille translation and speech synthesis software, and include corrections and revisions as may be necessary. The computer files or electronic versions of the printed instructional material shall be provided to the institution of higher education, at no additional cost and in a timely manner, upon receipt of a written request that does all of the following:

(1) Certifies that the institution of higher education has purchased the printed instructional material for use by a student with a disability or that a student with a disability attending or registered to attend that school has purchased the printed instructional material;

(2) Certifies that the student has a disability that prevents him or her from using standard instructional materials;

(3) Certifies that the printed instructional material is for use by the student in connection with a course in which he or she is registered or enrolled; and

(4) Is signed by the coordinator of services for students with disabilities at the institution of higher education and by an official responsible for monitoring compliance with the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq. At the request of the institution of higher education, the Division of State Services for the Blind or the Division of Career and Technical Education may prepare and sign the certification.

History. Acts 2001, No. 758, § 1; Acts substituted "Division of Career and Technical Education" for "Department of Career Education" in (4).

Amendments. The 2019 amendment

6-68-103. Student use requirement.

(a) An individual, firm, partnership, or corporation specified in § 6-68-102 may also require that, in addition to the conditions enumerated in § 6-68-102, the request shall include a statement signed by the student, or if the student is a minor, the student's parent or legal guardian, agreeing to both of the following:

(1) The student will use the electronic copy of the printed instructional material in specialized format solely for his or her own educational purposes; and

(2) The student will not copy or duplicate the printed instructional material for use by others.

(b) If an institution of higher education permits a student to directly use the electronic version of an instructional material, the disk or file shall be copy-protected or reasonable precautions shall be taken to ensure that students do not copy or distribute electronic versions of instructional materials in violation of the Copyright Revisions Act of 1976, 17 U.S.C. § 101 et seq.

History. Acts 2001, No. 758, § 1.

6-68-104. Electronic versions of nonprinted instructional material.

An individual, firm, partnership, or corporation that publishes or manufactures nonprinted instructional materials for students attending any accredited institution of higher education in the State of Arkansas shall provide computer files or other electronic versions of the nonprinted instructional materials for use by students attending the institution, subject to the same conditions set forth in § 6-68-102 and § 6-68-103(a) for printed instructional materials, when technology is available to convert these nonprinted instructional materials to a format that maintains the structural integrity of the nonprinted instructional materials that is compatible with braille translation and speech synthesis software.

History. Acts 2001, No. 758, § 1.

6-68-105. Transcription into braille — Requests for electronic instructional material.

(a) Nothing in this chapter shall be construed to prohibit a school or any educational assistant, instructor, or tutor from assisting a student with a disability by using the electronic version of printed instructional material provided pursuant to this chapter solely to transcribe or arrange for the transcription of the printed instructional material into braille or to otherwise assist the student. In the event that a transcription is made, the school shall have the right to share the braille copy of the printed instructional material with other students with disabilities.

(b) The president of each institution of higher education may each or in combination with others establish one (1) or more centers to process requests for electronic versions of instructional materials pursuant to this chapter. If a center or centers is established, each of the following shall apply:

(1) The student and the educational institution shall submit requests for instructional material made pursuant to § 6-68-102(4) to the center, which shall transmit the request to the publisher or manufacturer with the appropriate certification;

(2) If there is more than one (1) center, each center shall make every effort to coordinate requests within its segment;

(3) The publisher or manufacturer of instructional material shall be required to honor and respond only to those requests submitted through a designated center; and

(4) If a publisher or manufacturer has responded to a request for instructional materials by a center, or on behalf of all the centers within a segment, all subsequent requests for these instructional materials shall be satisfied by the center to which the request is made.

History. Acts 2001, No. 758, § 1.

6-68-106. Copyright protection.

Nothing in this chapter shall be deemed to authorize any use of instructional materials that would constitute an infringement of copyright under the Copyright Revision Act of 1976, 17 U.S.C. § 101 et seq.

History. Acts 2001, No. 758, § 1.

6-68-107. Guidelines.

The institution of higher education or any center which requests instructional material pursuant to this chapter shall each adopt guidelines consistent with this chapter for its implementation and administration. At a minimum, the guidelines shall address all of the following:

(1) The designation of materials deemed required or essential to student success;

(2) The determination of the availability of technology for the conversion of nonprinted materials pursuant to § 6-68-104 and the conversion of mathematics and science materials pursuant to § 6-68-104;

(3) The procedures and standards relating to distribution of files and materials pursuant to § 6-68-102 and § 6-68-103(a); and

(4) Other matters as are deemed necessary or appropriate to carry out the purposes of this chapter.

History. Acts 2001, No. 758, § 1.

6-68-108. Violation.

Failure to comply with the requirements of this chapter shall be an act of discrimination pursuant to § 16-123-107(a)(2).

History. Acts 2001, No. 758, § 1.

CHAPTERS 69, 70

[Reserved.]

CHAPTER 71

IMPROVEMENT DISTRICTS FOR COLLEGES AND UNIVERSITIES

SECTION.

- 6-71-101. Definitions.
- 6-71-102. Applicability.
- 6-71-103. City of first class — Special improvement district.
- 6-71-104. Management commission.
- 6-71-105. Public notice of passage of chapter — Methods of approval.
- 6-71-106. Multidistrict counties.
- 6-71-107. Board of assessors — Assessment procedure.
- 6-71-108. Apportionment of assessments — Annual installments.
- 6-71-109. Assessment as lien on real property.
- 6-71-110. Deferral of levy.
- 6-71-111. Limitation on assessments.
- 6-71-112. Assessment of railroads, tramroads, etc.
- 6-71-113. Maintenance assessments.
- 6-71-114. Collector and treasurer.
- 6-71-115. Borrowing of money — Bonds.
- 6-71-116. Warrant for collection of assessments — Form.
- 6-71-117. Publication of notice for collection.

SECTION.

- 6-71-118. Delinquent assessment — Penalty.
- 6-71-119. Suit to enforce lien.
- 6-71-120. Exhibition of resolutions or documents unnecessary.
- 6-71-121. Suits against several owners may be joined.
- 6-71-122. Owner as defendant — Proceedings in rem.
- 6-71-123. Summons — Return day — Default.
- 6-71-124. Constructive service.
- 6-71-125. Suits have precedence over other cases.
- 6-71-126. Form of decree.
- 6-71-127. Suit in name of district.
- 6-71-128. Direction for sale of property.
- 6-71-129. Correction of description of property.
- 6-71-130. Commissioner's deed to purchaser.
- 6-71-131. Sale to best bidder or district.
- 6-71-132. Allowance to special commissioner for sale of land.
- 6-71-133. Certificate of purchase.
- 6-71-134. Redemption.

SECTION.

- 6-71-135. Reimbursement for assessments paid by purchaser.
 6-71-136. Appeals to Supreme Court.
 6-71-137. Notice by publication.
 6-71-138. Appointment of guardian ad litem.
 6-71-139. Power to hold and acquire property.

SECTION.

- 6-71-140. Acquisition of private property.
 6-71-141. Construction and maintenance of college or university — Inducing existing institutions to move to district.
 6-71-142. Requirements for receipt of benefits.

Effective Dates. Acts 1949, No. 260, § 52; Mar. 8, 1949. Emergency clause provided: "That it is found and determined as a fact that the provisions contained in this Act are immediately necessary in order that cities of the first class having a commission form of government may immediately furnish themselves with adequate college and university facilities and an emergency is hereby declared to exist and this act shall be in full force and effect from and after the date of its passage and approval."

Acts 2009, No. 1480, § 117; Apr. 10, 2009. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act makes various revisions to Arkansas

election laws that are designed to improve the administration of elections and special elections and that these revisions should be implemented as soon as possible so that the citizens of this state may benefit from improved election procedures. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-71-101. Definitions.

As used in this chapter, unless the context otherwise requires:

- (1) "Assessors" means the assessors named by the improvement district commissioners as provided for in this chapter;
- (2) "Collector" means the improvement district collector named by the commissioners of the district;
- (3) "Commission" means the five-member board to be appointed as provided for in this chapter;
- (4) "Commissioner" means the board of improvement district commissioners appointed by the county judge of the county in which the district is located;
- (5) "Corporate limits" means the municipal or city limits of any city of the first class;
- (6) "District" means the special improvement districts provided for in this chapter; and
- (7) "Real property" shall have the same meaning and signification as are attached to the words in the acts providing for the collection of state, county, and city revenue.

History. Acts 1949, No. 260, § 1; A.S.A. 1947, § 80-3601.

6-71-102. Applicability.

Nothing in this chapter shall apply to cities having a commission form of government.

History. Acts 1949, No. 260, § 2; 1951, No. 119, § 1; A.S.A. 1947, § 80-3602.

6-71-103. City of first class — Special improvement district.

(a) Any city of the first class in this state is created and constituted a special improvement district and shall be a public agency and body politic and corporate under the name of the city with the words "Special Improvement District", and by that name may sue and be sued, plead and be impleaded, and have perpetual succession for the purposes hereinafter designated.

(b) The district may have a common seal and may make such bylaws and regulations from time to time as may be deemed proper, not inconsistent with this chapter or the laws of this state, for the purpose of carrying into effect the object of its creation.

(c) The district may appoint all officers and agents which it deems necessary and suitable for the conduct of the business of the corporation and may do all other acts and things not inconsistent with the laws of this state which may be proper to carry into effect the purposes and object of this chapter.

History. Acts 1949, No. 260, § 2; 1951, No. 119, § 1; A.S.A. 1947, § 80-3602.

6-71-104. Management commission.

(a) The affairs of the district shall be managed and controlled and all improvements authorized shall be made by a commission which shall be composed of five (5) landowners who are residents of the district.

(b) Within fifteen (15) days after the passage of this chapter, the members of the commission shall be appointed by the county judge of the county in which the district is located, and they shall serve during the existence of the district.

(c) The commissioners shall not be paid any salary but shall be paid on a per diem basis for the time actually engaged by them in the discharge of the duties of their office.

(d) The commissioners shall qualify by taking an oath that they will faithfully discharge the duties of their position.

(e) They shall elect one (1) of their number president, who shall preside at all meetings of the commission. The president shall vote on all questions and shall be the chief officer of the district.

(f) They shall appoint a secretary who shall hold office at their pleasure, who shall keep a record of the proceedings of the commission and shall receive such compensation as the commission may determine.

(g) A majority of the commission shall constitute a quorum for the transaction of business, and the commission may prescribe rules for its own government and fix its time of meeting.

(h) The commission shall have the right to employ such other persons and agents not mentioned in this chapter as, in its judgment, may be necessary to carry out the objects and purposes of this chapter.

(i) The commission shall make an annual statement showing in full all the transactions of the commission for the year, and a copy of the annual statement shall be filed with the county clerk of the county.

History. Acts 1949, No. 260, §§ 5, 6, 41; A.S.A. 1947, §§ 80-3605, 80-3606, 80-3643.

Publisher's Notes. In reference to the term "passage of this chapter," Acts 1949,

No. 260, § 52, provided that the act would take effect from and after its passage and approval. The act was signed by the Governor on March 8, 1949.

6-71-105. Public notice of passage of chapter — Methods of approval.

(a) Immediately upon the organization of the commission, or as soon thereafter as it is convenient, it shall give public notice of the passage of this chapter and of the commission's organization and the purposes of this chapter, and that the public improvement contemplated in this chapter is conditioned upon its approval by a majority in value of the owners of real estate within the district or a majority of the electors voting in a special election that may be held upon this chapter.

(b) This chapter may be submitted in either or both of the following modes to determine whether it shall become operative:

(1)(A) If at any time within five (5) years from the passage of this chapter a petition purporting to be signed by a majority in value of the owners of real property within the district is filed with the commission, the commission shall give public notice of that fact in at least one (1) daily newspaper published in the county and set a day and place for the hearing not less than twenty (20) days after the first publication of the notice.

(B) At the place and time so designated, the commissioners shall examine the petition filed and examine the assessment of the real property within the district and, for the purpose of the hearing, may adjourn from day to day from time to time until the hearing is completed.

(C) At the hearing, any landowner in the district may be heard and evidence may be taken in such a manner as the commission may deem proper to determine the fact as to whether the petition is signed by a majority in value of the landowners of the district, as shown by the last county assessment of the lands within the district.

(D)(i)(a) If at the hearing the commissioners find that the petition is not signed by a majority in value of the landowners of the district, as shown by the last county assessment, they shall so declare. Such findings shall terminate proceedings under this chapter unless within the term herein limited another petition purporting to be

signed by a majority in value of owners of real estate in the district is filed with the commission, when like proceedings shall again be had to determine whether a majority in value of the landowners of the district have signed the petition.

(b) However, the finding that a majority in value has not petitioned for the improvement shall not bar the chapter from becoming effective as provided in subdivision (b)(2) of this section and subsection (c) of this section.

(ii) If the commission finds that the petition is signed by a majority in value of the landowners of the district as shown by the last county assessment, the commission shall so declare and shall proceed to carry out the purposes of this chapter.

(iii) In either event, public notice shall be given in at least one (1) daily paper published in the county of that fact, and a copy of the findings shall be filed with the county court of the county; or

(2)(A) The commission may call at any time within five (5) years an election in accordance with § 7-11-201 et seq. to determine whether this chapter shall become operative and may call subsequent elections in accordance with § 7-11-201 et seq. after the chapter has failed to carry if the commission has good reasons to believe that a majority of the electors then favor this chapter.

(B) The election held under this section shall be held conformable as nearly as possible to the laws of the state governing general elections.

(C) The commission shall perform the duties of county election commissioners as nearly as applicable.

(D) All citizens of the city in which the district is located who possess a right to vote if the election were a general election for state officers, and no other, shall be entitled to vote in the election.

(E) The commission shall canvass the votes cast at the special elections. If the commission finds that a majority of the votes cast in the election were in favor of this chapter's becoming operative, the commission shall so declare and shall proceed to carry out the purposes of this chapter.

(F) Public notice shall be given of the commission's findings in either event in at least one (1) daily newspaper published in the county in which the district is located, and a copy of the commission's findings shall be filed with the county clerk of such a county.

(c) It is the intent of this section to permit this chapter to become operative if it is approved at any time within five (5) years in either of the foregoing methods and not to become operative unless approved within this period by one (1) or the other of the methods provided in this section.

History. Acts 1949, No. 260, § 7; A.S.A. 1947, §§ 80-3607 — 80-3609; Acts 2005, No. 2145, § 10; 2007, No. 1049, § 12; 2009, No. 1480, § 13.

Publisher's Notes. In reference to the term "passage of this chapter," see note to § 6-71-104.

6-71-106. Multidistrict counties.

In all counties where there are two (2) levying courts, thereby creating separate districts, each district shall be a county for the purpose of this chapter.

History. Acts 1949, No. 260, § 7; A.S.A. 1947, § 80-3609.

6-71-107. Board of assessors — Assessment procedure.

(a) Immediately after ascertaining the cost of the public improvement contemplated by this chapter, the commission shall appoint three (3) assessors.

(b) Each of the assessors, before entering upon the discharge of his or her duty, shall take an oath to well and truly assess, to the best of his or her ability, the value of all benefits to be received by each landowner by reason of the proposed improvement as affecting each tract of land within the district.

(c) They shall ascertain the value of the real property within the district without the improvement and the value thereof as benefited by the improvement, and they shall charge against each lot, tract, or parcel of real estate in said district an assessment according to the value of the benefit that will accrue to it by reason of the construction of the college or university.

(d)(1) The board of assessors, within ninety (90) days after its organization, shall complete its duties by filing with the commission a list showing the description of the property of the district, the owners' names as far as they appear from the last county assessments, such corrections as they may ascertain should be made, the valuation of each lot, tract, or parcel without the improvement, the valuation with the improvement, and the benefit estimated to accrue to each lot, tract, or parcel by reason of the improvement.

(2) The board shall file with the county clerk of the county the list for the inspection of all persons interested.

(e) Notice of the filing of the assessments shall be given by publication in at least one (1) daily newspaper published in the county, and the notice shall state a date not less than thirty (30) days distant and the place where complaint may be made by any landowner before the board of any assessment made against his or her property.

(f) The board shall correct any inequalities, injustices, or errors which it may find in the assessment and shall hold meetings for the purpose of hearing the complaints of the owners of land in the district as to the assessment so as to adjust the burden of the assessment to the benefit to accrue to the real property of the complainant.

(g) The board may adjourn from day to day until the hearings are completed.

(h)(1)(A) Any landowner aggrieved by the action of the board may take an appeal to the commission within thirty (30) days from the action of the board upon his or her complaint, or any landowner may

appeal from the action of the board from any assessment which acts unequally upon his or her property.

(B) The commission shall hear all appeals and determine them.

(2) Appeals may be taken from the commission to the county court in the same manner as is now provided by law that appeals may be taken from the county equalization boards to the county court, which appeal shall be taken within thirty (30) days from the action of the commission complained of and not thereafter.

(i) The assessors shall be paid on a per diem basis, the amount to be fixed by the commission for the time actually engaged by them in the discharge of the duties of their office.

History. Acts 1949, No. 260, § 8; A.S.A. 1947, § 80-3610.

6-71-108. Apportionment of assessments — Annual installments.

(a) As soon as all of the assessments have been equalized and adjusted as aforesaid, the commission, by resolution, shall charge each lot, tract, and parcel of real estate in the district with an assessment equal to the benefit estimated in the assessment list to accrue to the lot, tract, or parcel of land.

(b) The commission shall apportion the assessment into annual installments so as to realize annually only that sum of money as will be necessary to meet the expenses incurred in each year for interest and a sinking fund to pay the bonded indebtedness with twenty percent (20%) for contingencies.

History. Acts 1949, No. 260, § 9; A.S.A. 1947, § 80-3611.

6-71-109. Assessment as lien on real property.

The assessment of benefits shall be a charge and a lien against all the real property in the district from the date of the resolution and shall be entitled to preference over all judgments, executions, encumbrances, or liens whenever created and shall continue until the local assessments, with any penalty and cost that may accrue thereon, shall be paid. However, between grantor and grantee all payments not due at the date of the transfer of such real property shall be payable by the grantee.

History. Acts 1949, No. 260, § 9; A.S.A. 1947, § 80-3611.

6-71-110. Deferral of levy.

(a) The commission is given the authority to defer the levying of assessments for the first five (5) years after the assessments are made a lien upon the real property of the district if the district has funds with which to meet its interest charges and other debts in the five (5) years from the sale of bonds or other sources.

(b) The authority conferred by this section shall not prevent the annual levying of the assessments unless funds are provided to meet all maturing obligations of the district during the period that the commission is authorized to withhold the annual levies, and any creditors or bondholder may compel by mandamus a levy of an annual assessment equal to one-twentieth ($1/20$) of the indebtedness of the district whenever it is shown that the district does not have sufficient funds to meet its annual maturing indebtedness and the levy has not been made.

(c)(1) The object and purpose of this authority conferred upon the commission is to permit it to withhold, in whole or in part, annual levies for a proportional part of the obligations of the district if in the first five (5) years the district has from the sale of bonds or other sources sufficient funds to meet all its obligations due in the period.

(2) Otherwise, the levy is to be made and a collection enforced of an assessment equal to one-twentieth ($1/20$) of the entire indebtedness of the district.

History. Acts 1949, No. 260, § 9; A.S.A. 1947, § 80-3611.

6-71-111. Limitation on assessments.

The improvements undertaken by this chapter shall not exceed ten percent (10%) of the valuation of the real property in the district, subject to improvement district assessment, as ascertained by the county assessment of the property referred to heretofore. However, this limitation of ten percent (10%) of valuation shall not prevent an annual assessment as provided in this chapter for the maintenance of the improvement.

History. Acts 1949, No. 260, § 9; A.S.A. 1947, § 80-3611.

6-71-112. Assessment of railroads, tramroads, etc.

(a) All railroads, tramroads, rights-of way, roadbeds, and appurtenances in the district shall be assessed according to the betterments and increase in value in like manner as is herein prescribed for real estate, except that the assessment shall be made per mile.

(b) No error in the name and residence of the owners or the description thereof shall invalidate the assessment if sufficient description of the property sought to be taxed is given to ascertain where it is situated.

(c)(1) The commissioner shall annually appoint a board of assessors, which shall each year perform the duties provided in this chapter.

(2) The board shall continue as far as possible the assessments first made but shall take into consideration improvements and enhanced values so as to equalize the burden of taxation within the district.

History. Acts 1949, No. 260, § 9; A.S.A. 1947, § 80-3611.

6-71-113. Maintenance assessments.

(a) For the purpose of maintaining and keeping the improvements in good state, when authorized in the petition provided for in § 6-71-105, the board of assessors shall each year assess the value of all benefits to be received by each lot, tract, or parcel of land in the district by reason of the maintenance and keeping of the improvement for the following year as affecting each of the lots, tracts, or parcels of land and shall at once proceed to record in the assessment book of the district the value of such benefits to accrue to each of the lots, tracts, or parcels of land.

(b) Immediately upon the recording of the assessment of benefits, notice thereof shall be inserted in a newspaper published in the county, and the assessment shall become final unless attacked within thirty (30) days thereafter in the circuit court of the county in which the district is located.

(c) Each annual assessment for such maintenance shall be in addition to the ten-percent limitation permitted for the original cost of the improvement by § 6-71-111 but shall not be in excess of two-tenths of one percent (0.2%) of the valuation of the real property in the district, as ascertained by the county assessment of the property referred to heretofore.

(d) The commission shall provide by resolution for the levy of the assessment of the benefits for the purpose of maintenance as made by the assessors.

(e) The assessment shall be a charge and lien against all the real property in the district from the date of the resolution and shall be entitled to preference over all judgments, executions, encumbrances, or liens whensoever created, except the lien for original assessments, and shall continue until such assessments, with any penalty and costs that may accrue, shall be paid. However, as between grantor and grantee, all payments not due at the date of transfer of such real property shall be payable by the grantee.

(f) Notice and collection of the assessment, the infliction of a penalty for nonpayment, and the enforcement and foreclosure of the lien shall all be had and done in the same manner as is provided in reference to the original assessment.

History. Acts 1949, No. 260, § 9; A.S.A. 1947, § 80-3611.

6-71-114. Collector and treasurer.

(a) The commission shall appoint a collector and a treasurer for the district.

(b) These officers shall execute bonds to the commission in sums equal to two (2) times the amount of money which will probably come into their hands, with good and sufficient security to be approved by the

commission, conditioned that they will faithfully discharge the duties of their office and account for and pay over all moneys that may come into their hands, according to law and the order of the commission.

(c) The collector shall receive a sum not to exceed two percent (2%) and the treasurer not to exceed one percent (1%) of the moneys that come into his or her hands for the services performed.

History. Acts 1949, No. 260, § 10;
A.S.A. 1947, § 80-3612.

6-71-115. Borrowing of money — Bonds.

(a) In order to hasten the completion of the improvement, the commission is authorized to borrow money not exceeding the estimated cost of improvement, including in the cost of the improvement the interest which may accrue upon the bonds which may be issued to raise funds to pay for the improvement, and to issue interest-bearing bonds therefor. The commission may pledge all the uncollected assessment, or so much thereof as may be necessary for the payment therefor, except such assessment as may be required to be pledged for the acquisition of the real estate on which the improvement is to be located and such as may be necessary to create a sinking fund to pay the bonds or to retire them.

(b) The bonds shall be a lien upon the real estate of the district.

(c) The commission shall create a sinking fund from the annual assessments in order that the bonds may be paid at maturity or retired earlier, if possible, or the commission may provide for the annual retirement of a portion of the bonds from the assessment levied.

History. Acts 1949, No. 260, § 12;
A.S.A. 1947, § 80-3614.

6-71-116. Warrant for collection of assessments — Form.

(a) Within ten (10) days after the completion of the assessment list and apportionment thereof for the first year, the secretary of the commission shall deliver to the collector a warrant authorizing the collector to collect the assessment of that year from the land in the district.

(b) The warrant may be in the following form:

“STATE OF ARKANSAS,

.... SPECIAL IMPROVEMENT DISTRICT

To the Collector of the Special Improvement District:

You are hereby commanded to collect from the owners of real property described in the annexed list the assessments as extended thereon for the current year, and to pay the same to the treasurer of said district within sixty (60) days from this date.

Witness my hand and seal of said district this day of,
20....

Secretary”.

(c) The secretary shall annually thereafter extend against each of the lots, tracts, and parcels of real estate the payment due thereon for such year, and shall issue like warrants annually to the collector until the assessment shall be fully paid.

History. Acts 1949, No. 260, § 13;
A.S.A. 1947, § 80-3615.

6-71-117. Publication of notice for collection.

(a) The collector shall immediately upon receipt of the assessment list cause to be published in a newspaper of general circulation in the district a notice which shall be in the following form:

“SPECIAL ASSESSMENT

The tax books for the collection of the special assessment upon the real property in the Special Improvement District have been placed in my hands. All owners of real property lying in the district are required to pay their assessment to me within thirty (30) days from this date. If such payment is not made, action will be commenced at the end of that time for the collection of the assessment and for legal penalties and costs.

Given unto my hand this day of, 20.....
Collector”.

(b) The notice shall be published for two (2) weeks.

History. Acts 1949, No. 260, § 14;
A.S.A. 1947, § 80-3616.

6-71-118. Delinquent assessment — Penalty.

If any assessment made under this chapter is not paid within the time mentioned in the notice published by the collector, the collector shall add thereto a penalty of twenty percent (20%) and shall at once return a list of the property on which the assessments have not been paid to the commission of the district as delinquent.

History. Acts 1949, No. 260, § 15;
A.S.A. 1947, § 80-3617.

6-71-119. Suit to enforce lien.

(a) The commission shall straightway cause a complaint in equity to be filed in the court having jurisdiction of suits for the enforcement of liens upon real property for the condemnation and sale of such delinquent property for the payment of such assessments, penalty, and costs of suit.

(b) In the complaint it shall not be necessary to state more than the fact of the assessment and the nonpayment thereof within the time required by law, without any further statement of any step required to be taken by the commission or any other officer whatever, concluding with the prayer that the delinquent property be charged with the

amount of the assessment, penalty, and costs of suit and be condemned and sold for the payment thereof.

History. Acts 1949, No. 260, § 16;
A.S.A. 1947, § 80-3618.

6-71-120. Exhibition of resolutions or documents unnecessary.

It shall not be necessary to exhibit with the complaint any copy of any resolutions or other document or paper connected with the assessment and collection for the sums assessed under this chapter.

History. Acts 1949, No. 260, § 17;
A.S.A. 1947, § 80-3619.

6-71-121. Suits against several owners may be joined.

It shall be no objection to any suit brought for the purpose that the land of two (2) or more owners are joined in the same proceedings, and such suits may be brought against one (1) or more owners, providing the suit is brought in the county in which the land is situated.

History. Acts 1949, No. 260, § 18;
A.S.A. 1947, § 80-3620.

6-71-122. Owner as defendant — Proceedings in rem.

(a) The owner of property assessed shall be made a defendant if known.

(b) If he or she is not known, that fact shall be stated in the complaint and the suit shall proceed as a proceeding in rem against the property assessed.

History. Acts 1949, No. 260, § 19;
A.S.A. 1947, § 80-3621.

6-71-123. Summons — Return day — Default.

(a) Summons shall be issued, and the defendant shall be required to appear and respond within five (5) days after service.

(b) Upon default a decree shall be rendered against such property for the amount of such assessment, penalty, costs, and attorney's fees.

History. Acts 1949, No. 260, § 20;
A.S.A. 1947, § 80-3622.

6-71-124. Constructive service.

(a) If the sheriff or other officer to whom the writ may be directed shall return that the defendant is not to be found in his or her county, or if the owner is stated in the complaint to be unknown, service shall be made by affixing a copy of the summons to the property assessed or to some part thereof, for fifteen (15) days and by publishing a copy of the

summons in some daily paper published in the county for one (1) insertion, and the cause shall be made ready for hearing within fifteen (15) days after such publication. A decree shall be rendered as in case of actual service.

(b) The publication shall be made by the officer having the writ of service and shall be shown by his or her return.

History. Acts 1949, No. 260, §§ 21, 23;
A.S.A. 1947, §§ 80-3623, 80-3625.

6-71-125. Suits have precedence over other cases.

For the purpose of taking every step in such suits as herein referred to, the court shall be always open. All cases brought under this chapter shall have the precedence of all other cases pending in the court and shall be decided within thirty (30) days after service of publication.

History. Acts 1949, No. 260, § 22;
A.S.A. 1947, § 80-3624.

6-71-126. Form of decree.

If the decree is in favor of the district and for the condemnation of the land, it shall be for the penalty and costs of suit as well as for the amount of assessment.

History. Acts 1949, No. 260, § 24;
A.S.A. 1947, § 80-3626.

6-71-127. Suit in name of district.

The suit shall be brought in the name of the district.

History. Acts 1949, No. 260, § 25;
A.S.A. 1947, § 80-3627.

6-71-128. Direction for sale of property.

(a) In its decree of condemnation, the court shall direct that if the sum adjudged shall not be paid within ten (10) days, the property shall be sold by a special commissioner, appointed for that purpose, upon twenty (20) days' notice.

(b) However, only so much of the property shall be sold as will pay the assessment, costs, and penalty, and no more.

History. Acts 1949, No. 260, § 25;
A.S.A. 1947, § 80-3627.

6-71-129. Correction of description of property.

In the event that the description of any lot, tract, or parcel of property upon the list of the assessment hereinbefore provided to be made shall for any reason be uncertain, indefinite, or insufficient, then, in any suit

brought to enforce the payment of any assessment, the court shall have power to correct such description and enforce the collection of any assessment therein, having due regard for the right of any party who may have intervened.

History. Acts 1949, No. 260, § 26;
A.S.A. 1947, § 80-3628.

6-71-130. Commissioner's deed to purchaser.

(a) If any land sold under a decree as herein mentioned is not redeemed within the time allowed herein, the court in which the suit is brought for condemnation shall direct the special commissioner to execute to the purchaser or his or her assignee a deed, which may be in the form and have the force and effect of a deed of a special commissioner who has sold lands in a suit brought by an improvement district as prescribed in § 14-90-1303.

(b) The deed mentioned in subsection (a) of this section shall only be made on the filing of the certificate of purchase in the court, unless proof of the loss thereof shall be made to the satisfaction of the court.

History. Acts 1949, No. 260, §§ 27, 28;
A.S.A. 1947, §§ 80-3629, 80-3630.

6-71-131. Sale to best bidder or district.

(a) The property shall be offered to the person who will pay the assessment, penalty, and costs for the least amount of the land.

(b)(1) If none should offer the amount of the assessment, penalty, and costs, then the delinquent land shall be stricken to the special improvement district, and a deed shall be made to it in like manner as to an individual purchaser.

(2) It shall be lawful for the district to hold the land until such time as it may be sold advantageously in the judgment of the commission.

History. Acts 1949, No. 260, § 29;
A.S.A. 1947, § 80-3631.

6-71-132. Allowance to special commissioner for sale of land.

No allowance to the special commissioner for his or her service shall exceed five dollars (\$5.00) for each lot, tract, or parcel of land sold and certificate made by him or her.

History. Acts 1949, No. 260, § 30;
A.S.A. 1947, § 80-3632.

6-71-133. Certificate of purchase.

The special commissioner shall execute to the purchaser a certificate of purchase in which shall be stated the whole sum paid by the purchaser.

History. Acts 1949, No. 260, § 31;
A.S.A. 1947, § 80-3633.

6-71-134. Redemption.

(a) The owner may redeem from the purchaser any time within one (1) year after the sale by paying the purchaser the amount paid by the purchaser with twenty percent (20%) thereon, which redemption shall be noted upon the margin of the decree by the purchaser.

(b)(1) If the purchaser cannot be found, the court may redeem by paying the amount to the clerk of the court wherein the decree is rendered, who shall then note the redemption as aforesaid.

(2) The clerk shall hold the redemption money subject to the order of the purchaser, free of charge or commission, and pay it over on demand.

(3) If the redemption money is not called for in twenty (20) days, the clerk shall advertise the receipt of the money by a notice inserted one (1) time in some newspaper published in the county.

History. Acts 1949, No. 260, §§ 32, 33; section may be affected by § 18-40-101 et
A.S.A. 1947, §§ 80-3634, 80-3635. seq.

A.C.R.C. Notes. The operation of this

6-71-135. Reimbursement for assessments paid by purchaser.

If, in the period allowed for redemption, the purchaser pays any other assessment or tax lawfully levied upon the property, the owner, upon making redemption, shall repay the assessment or tax to the purchaser, with twenty percent (20%) added thereto.

History. Acts 1949, No. 260, § 34;
A.S.A. 1947, § 80-3636.

6-71-136. Appeals to Supreme Court.

(a) If any appeal is taken from any decree mentioned in this chapter, the Supreme Court shall advance the cause on its docket and shall hear and decide the cause on as early a day as practicable.

(b) The transcript shall be filed in the office of the Clerk of the Supreme Court within twenty (20) days after rendering the decree appealed from.

(c) The Supreme Court shall either affirm or reverse the decree appealed from or render such a decree as should have been rendered by the lower court or shall remand the decree to the inferior court without delay.

(d) In taking such an appeal, the appellant shall only include in the transcript so much of the records as are related to his or her own land.

(e) No appeal shall be prosecuted from any decree after the expiration of the twenty (20) days herein granted for filing the transcript in the office of the Clerk of the Supreme Court.

History. Acts 1949, No. 260, §§ 35-38;
A.S.A. 1947, §§ 80-3637 — 80-3640.

6-71-137. Notice by publication.

If the owners of such property are nonresidents of this state, infants, or persons of unsound mind, notice shall be given by publication in any newspaper in the county where the land is situated which is authorized by law to publish legal notices, which notice shall be published for the same length of time as may be required in other civil causes.

History. Acts 1949, No. 260, § 39;
A.S.A. 1947, § 80-3641.

6-71-138. Appointment of guardian ad litem.

In all cases of infants or persons of unsound mind where no legal representative or guardian appears in their behalf at the hearing, it shall be the duty of the court to appoint a guardian ad litem who shall represent their interest for all purposes.

History. Acts 1949, No. 260, § 40;
A.S.A. 1947, § 80-3642.

6-71-139. Power to hold and acquire property.

(a) The special improvement district created in this chapter shall have the power to acquire and hold real and personal property and may receive gifts, donations, and bonuses for the purpose of carrying out the object and purpose of the chapter.

(b) The district shall have power to acquire such real estate as may be necessary for the reestablishment and expansion of the college or university, and the commission is clothed with authority to contract for the necessary land for the improvement and to pledge so much of the revenues of the district as may be necessary to pay for the improvement.

(c) The district herein created may construct, operate, and maintain the improvement on the lands of private individuals or corporations, provided that, just damages shall be paid to the private owners of land taken or used for the improvement.

History. Acts 1949, No. 260, § 42;
A.S.A. 1947, § 80-3644.

6-71-140. Acquisition of private property.

(a) In the event that the special improvement district fails to obtain, by agreement with the owner, property for the improvement or the right thereto, it may apply to the circuit court of the county in which the property is assessed, giving the owner of such property at least ten (10) days' notice in writing of the time and place where the petition will be heard.

(b) The petition shall describe, as nearly as may be, the real estate which is sought and for which damages are asked to be assessed, whether improved or unimproved, and be sworn to by one (1) of the commissioners.

(c) It shall be the duty of the court to impanel a jury of twelve (12) persons, as in other civil cases, to ascertain the amount of compensation which the district shall pay, and the matter shall proceed and then be determined as in other civil causes.

(d) The amount of damages to be paid the owner of the lands for the use of such district shall be determined and assessed irrespective of any benefit the owner may receive from any improvement proposed by such district.

(e) In all cases where damages for the site of expansion for the use of the district have been assessed in the manner hereinbefore provided, it shall be the duty of such district to deposit with the court or pay to the owners the amount so assessed and pay such costs as may, in the discretion of the court, be adjudged against it, within thirty (30) days after such assessment, whereupon it shall and may be lawful for such district to enter upon and use such lands forever.

(f) Where the determination of questions in controversy in such proceedings is likely to retard the progress of the work on the special improvement, the court or judge, in vacation, shall designate an amount of money to be deposited by such district, subject to the order of the court, for the purpose of making compensation when the amount thereof shall have been assessed as aforesaid, and the judge shall designate the place of such deposit.

(g) Whenever a deposit shall have been made in compliance with the order of the court or judge, it shall be lawful for such district to enter upon the land and proceed with its work through and over the land in controversy prior to the assessment and payment of damages for the use and right to be determined as aforesaid.

History. Acts 1949, No. 260, §§ 43-49;
A.S.A. 1947, §§ 80-3645 — 80-3651.

6-71-141. Construction and maintenance of college or university — Inducing existing institutions to move to district.

The district shall have power to construct and maintain a college or university within the boundaries of the district and shall have power to negotiate and contract with and grant inducements to any other college or university now in existence for the removal of the college or university now in existence to that district. However, new buildings shall be constructed by the special improvement district.

History. Acts 1949, No. 260, § 3; A.S.A.
1947, § 80-3603.

6-71-142. Requirements for receipt of benefits.

(a) No college or university shall be established or reestablished under the provisions of this chapter in the district created by this chapter or shall be made the recipient of or receive any benefits under provisions of this chapter or by reason thereof unless the college or university has conferred upon its graduates at the time of their graduation regular written degrees of bachelor of arts and bachelor of science for at least ten (10) years prior to January 1, 1949.

(b) No college or university shall be made the recipient of or receive any benefits under the provisions of or by reason of this chapter unless the college or university shall conduct regular four-year academic and scientific courses of study which are adequate and properly qualified for conferring the degrees of bachelor of arts and bachelor of science and other degrees and unless all the buildings occupied by the college or university in the district are wholly new and not in existence on January 1, 1949, and to be constructed thereafter for such college or university.

History. Acts 1949, No. 260, § 4; A.S.A. 1947, § 80-3604.

CHAPTERS 72-79

[Reserved.]

***SUBTITLE 6. POSTSECONDARY EDUCATION —
FINANCIAL ASSISTANCE PROGRAMS***

CHAPTER 80

GENERAL PROVISIONS

- SECTION.
- 6-80-101. Records — Reports.
 - 6-80-102. Compliance with Selective Service Act required — Definitions.
 - 6-80-103. [Repealed.]
 - 6-80-104. Selective Service registration — Definition.
 - 6-80-105. Student financial aid — Scholarship stacking — Definitions.

- SECTION.
- 6-80-106. Definitions and limitations on expenditures for academic and performance scholarships.
 - 6-80-107. Transcripts — Definition.
 - 6-80-108. Essays for institutional scholarships.

Effective Dates. Acts 1973, No. 745, § 15: July 1, 1973. Emergency clause provided: "It is hereby found and determined by the Sixty-Ninth General Assembly that the Constitution of the State of Arkansas

prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1973 is essential to the operation of the agency for which the appropriations in this Act are

provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1973 could work irreparable harm upon the proper administration and providing of essential governmental programs. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1973.”

Acts 1999, No. 1180, § 44: July 1, 1999. Emergency clause provided: “It is hereby found and determined by the Eighty-second General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1999 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1999 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1999.”

Acts 2011, No. 207, § 31: Mar. 8, 2011. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that increasing the number of Arkansans obtaining postsecondary credentials is critical to the economic health of the state and its citizens; that the Arkansas Scholarship Lottery provides the opportunity for tens of thousands of Arkansans to obtain postsecondary education; that the deadline for scholarship applications is June 1; that the financial integrity of the Arkansas

Scholarship Lottery is critical to the continued existence of the scholarships; that the reporting and research provisions of this act are critical for timely decisions by the General Assembly on scholarship awards; and that this act is immediately necessary because the Department of Higher Education must promulgate rules to implement this act well before June 1, 2011, in order to provide eligible Arkansans the opportunity to apply for the scholarship. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded sections of this act preceding the emergency clause titled ‘Funding and classification of cabinet-level department secretaries’ and ‘Transformation and Efficiencies Act transition team’ should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

6-80-101. Records — Reports.

(a) The University of Arkansas at Fayetteville shall maintain records of all applicants applying for financial assistance and shall adopt proper administrative procedures to ensure that students attending any state-supported or private institution in Arkansas shall be given

the same consideration for receiving financial assistance from the appropriations provided for financial assistance.

(b) In addition, records shall be maintained in a manner such that timely reports shall be filed with the Governor, the General Assembly, and its interim committee stating by name of individual:

- (1) The applications received;
- (2) The schools in which the applicant did his or her undergraduate college study;
- (3) The action taken by the administrator of these aid programs at the university; and
- (4) The reason for the action if the financial assistance was denied.

History. Acts 1973, No. 745, § 13.

6-80-102. Compliance with Selective Service Act required — Definitions.

(a) “Institution of higher education” has the meaning assigned by the Division of Higher Education.

(b) “Statement of selective service status” means a statement certifying that:

(1) The individual filing the statement is registered with the United States Selective Service System in accordance with the Military Selective Service Act, 50 U.S.C. § 3801 et seq.; or

(2) The individual filing the statement is not required to register with the United States Selective Service System because the individual is:

- (A) Under eighteen (18) years of age;
- (B) In the United States Armed Forces on active duty, other than in a reserve or national guard unit;
- (C) Neither a United States citizen nor a resident alien;
- (D) A permanent resident of the trust territory of the Pacific Islands or the Northern Mariana Islands; or
- (E) Excused from registration for some other reason provided by federal law and that reason is included in the filed statement.

(c) A male under twenty-six (26) years of age is not eligible to receive any loan, grant, scholarship, or other financial assistance for educational expenses that is partially or fully funded by the state or a state agency unless the individual has filed a statement of selective service status with the institution in which the individual plans to enroll.

(d) The division shall specify by rule the form of statements of selective service status and the supporting documents to be filed to be in compliance with this section. The division shall distribute to each institution of higher education a copy of all rules adopted under this section.

History. Acts 1989, No. 188, §§ 1-3; 2019, No. 910, §§ 2015, 2016.

Amendments. The 2019 amendment substituted “Division of Higher Educa-

tion" for "Department of Higher Education" in (a); and substituted "division" for "department" twice in (d).

6-80-103. [Repealed.]

Publisher's Notes. This section, concerning federal loan program default fees, was repealed by Acts 1999, No. 478, § 8.

The section was derived from Acts 1995, No. 260, § 1; 1995, No. 261, § 1.

6-80-104. Selective Service registration — Definition.

(a) "Statement of selective service status" means a statement on an application for employment with the State of Arkansas or for admission to any public institution of higher education, sworn under penalty of perjury, that:

(1) The person filing the certificate is registered with the United States Selective Service System in accordance with the Military Selective Service Act, 50 U.S.C. § 3801 et seq.; or

(2) The person filing the certificate is not required to register with the United States Selective Service System because the person is:

(A) Under eighteen (18) years of age;

(B) In the United States Armed Forces on active duty, other than in a reserve or national guard unit;

(C) An alien lawfully admitted to the United States as a non-immigrant under Section 101(a)(15) of the Immigration and Nationality Act, 8 U.S.C. § 1101, for so long as he or she continues to maintain a lawful non-immigrant status in the United States;

(D) A permanent resident of the trust territory of the Pacific Islands or the Northern Mariana Islands; or

(E) Excused from registration for other reason provided by federal law and that reason is included in the certificate.

(b) No person who is required to register with the United States Selective Service System shall be eligible for employment by any agency of the State of Arkansas or for admission to any public institution of higher education unless the person has signed a statement of selective service status.

History. Acts 1997, No. 228, § 1.

Cross References. Students called into military service, § 6-61-112.

6-80-105. Student financial aid — Scholarship stacking — Definitions.

(a) As used in this section:

(1) "Cost of attendance" means the recognized cost of attendance of an institution of higher education calculated under rules established by the Division of Higher Education;

(2) “Federal aid” means scholarships or grants awarded to a student as a result of the Free Application for Federal Student Aid, excluding the Pell Grant;

(3) “Other aid” means a scholarship, grant, waiver, or reimbursement for tuition, fees, books, or other cost of attendance, other than federal aid or state aid, provided to a student from a postsecondary institution or a private source;

(4) “State aid” means scholarships or grants awarded to a student from public funds, including without limitation the Arkansas Academic Challenge Scholarship under § 6-85-201 et seq., the Division of Higher Education scholarship and grant programs, state general revenues, tuition, and local tax revenue; and

(5)(A) “Student aid package” means federal aid, state aid, and other aid a student receives for postsecondary education expenses.

(B) “Student aid package” does not include federal aid, state aid, or other aid received by a student who is:

- (i) An active member of the United States Armed Forces;
- (ii) An active member of the National Guard;
- (iii) A member of the reserve components of the armed forces; or
- (iv) The spouse of a person under subdivision (a)(5)(B)(i), subdivision (a)(5)(B)(ii), or subdivision (a)(5)(B)(iii) of this section.

(b)(1) A postsecondary institution shall not award state aid in a student aid package in excess of the cost of attendance at the institution where the student enrolls.

(2) For the purpose of stacking scholarships in a student’s student aid package, the Arkansas Academic Challenge Scholarship under § 6-85-201 et seq. shall be reduced or returned first.

(c) A postsecondary institution shall report to the division the total amount of federal aid, state aid, and other aid a student receives if the student receives an award from a division scholarship or grant program, including the Arkansas Academic Challenge Scholarship under § 6-85-201 et seq.

(d)(1) When a student receives a student aid package that includes state aid and the student aid package exceeds the cost of attendance, the postsecondary institution shall repay state aid in the amount exceeding the cost of attendance, starting with state aid received under the Arkansas Academic Challenge Scholarship under § 6-85-201 et seq.

(2) The division shall credit the excess state aid funds to the appropriate division fund or trust account.

(e) A student awarded state aid shall disclose all state aid, federal aid, and other aid to:

- (1) The division if the division awards state aid to the student; and
- (2) A postsecondary institution that awards state aid or other aid to the student.

History. Acts 1999, No. 1180, § 14; 2010, No. 265, § 18; 2010, No. 294, § 18; 2011, No. 207, §§ 2, 3; 2013, No. 957, § 1; 2019, No. 910, §§ 2017-2021.

Amendments. The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Education” in (a)(1) and (a)(4); and substituted

"division" for "department" throughout (c) through (e).

6-80-106. Definitions and limitations on expenditures for academic and performance scholarships.

(a) For the purpose of this section:

(1)(A) "Academic scholarships" means scholarships awarded:

(i) On a basis of criteria, including entrance exam scores, high school grade point averages, and rank in high school graduating class; or

(ii) For merit or academic performance.

(B) "Academic scholarships" does not include:

(i) Graduate assistantships or fellowships;

(ii) Tuition waivers based on age, military service, or occupation and out-of-state tuition waivers for graduate students or students from contiguous states in close proximity to a college or university;

(iii) Scholarships for transfers from two-year institutions; and

(iv) Scholarships made to a student who qualifies for a Pell Grant; and

(2)(A) "Performance scholarships" means scholarships for band, musical performing groups, arts, theater, forensics, and similar activities that are not awarded on the basis of entrance exam scores or high school academic achievement.

(B) "Performance scholarships" does not include scholarships made to a student who qualifies for a Pell Grant.

(b)(1) A state-supported institution of higher education shall not exceed its unrestricted educational and general tuition and mandatory fee income spending for academic and performance scholarships by more than:

(A) Thirty percent (30%);

(B) Twenty-five percent (25%) beginning in the 2012-2013 fiscal year; and

(C) Twenty percent (20%) beginning in the 2013-2014 fiscal year.

(2) All scholarship expenditures or tuition discounts not specifically excluded in subsection (a) of this section shall be counted toward the percentage of expenditures for academic and performance scholarships.

(c) Beginning in the 2013-2014 fiscal year all expenditures for academic and performance scholarships exceeding twenty percent (20%) of unrestricted educational and general tuition and mandatory fee income in a fiscal year shall be deducted from the state funding recommendations as determined by the appropriate funding formula model for the fiscal year in the following biennium.

(d) A state-supported institution of higher education shall report the percentage of unrestricted educational and general tuition and mandatory fee income spent on academic and performance scholarships during the previous fiscal year to the Arkansas Higher Education Coordinating Board no later than June 1 each year.

History. Acts 2005, No. 1795, § 1; 2009, No. 323, §§ 1-3; 2013, No. 957, §§ 2, 3.

A.C.R.C. Notes. Acts 2009, No. 323, § 3 omitted without striking through pre-

viously existing language in amending § 6-80-106(b). A.C.R.C. has determined that the omitted language was intended to be repealed and § 6-80-106(b) is set out above to reflect that intent.

6-80-107. Transcripts — Definition.

(a)(1) As used in this section, “electronic transcript” means a student transcript that is formatted and transmitted electronically in the uniform method prescribed by the Division of Higher Education and the Division of Elementary and Secondary Education for use by public schools and institutions of higher education in this state.

(2) An Arkansas public school shall use an electronic transcript in lieu of a paper transcript to:

(A) Provide to the Division of Higher Education as necessary to process state financial aid applications for students in grades nine through twelve (9-12);

(B) Transmit a transcript between public high schools to correctly enroll and place students in grades nine through twelve (9-12) transferring between public high schools and school districts; and

(C) Transmit a transcript to the Division of Elementary and Secondary Education.

(3) An institution of higher education in this state shall use an electronic transcript in lieu of a paper transcript:

(A) As the only method of accepting a transcript from an Arkansas public school;

(B) As the only method of accepting a transcript from or sending a transcript to another institution of higher education in this state;

(C) To provide to the Division of Higher Education as necessary to process state financial aid applications for higher education students; and

(D) To transmit a transcript to the Division of Elementary and Secondary Education.

(b)(1) Except as provided under subdivision (b)(2) of this section, an institution of higher education that does not comply with this section shall not receive state financial aid on behalf of students.

(2) An institution of higher education with less than ten (10) students who receive financial aid from a program administered by the Division of Higher Education is exempt from the requirements under subsection (a) of this section and the penalty under this subsection.

(c)(1) The Division of Elementary and Secondary Education shall prescribe a uniform method of formatting and electronically transmitting transcripts, which shall be used by all kindergarten through grade eight (K-8) public elementary or middle schools in this state.

(2) A public elementary or middle school shall use an electronic transcript in lieu of a paper transcript to transmit a transcript:

(A) Between public schools as necessary to correctly enroll and place students transferring between schools and school districts; and

(B) To the Division of Elementary and Secondary Education.

History. Acts 2005, No. 2203, § 1; 2007, No. 820, § 1; 2007, No. 1573, § 41; 2013, No. 330, § 2; 2019, No. 910, § 2022.

Amendments. The 2019 amendment substituted “Division of Higher Educa-

tion” for “Department of Higher Education” and “Division of Elementary and Secondary Education” for “Department of Education” throughout the section.

6-80-108. Essays for institutional scholarships.

(a) If a state-supported institution of higher education requires the completion of an essay for an institutional scholarship application, the state-supported institution of higher education shall retain the essay for at least one (1) year after it is submitted by the student.

(b) During the period of time the essay is retained by the state-supported institution of education, only the student or the parent or guardian of the student may access the essay.

History. Acts 2015, No. 1186, § 1.

CHAPTER 81

STUDENT LOANS

SUBCHAPTER.

1. GENERAL PROVISIONS. [REPEALED.]
2. STUDENT LOAN GUARANTEE FOUNDATION OF ARKANSAS.
3. NURSING STUDENT LOANS. [REPEALED.]
4. UNIVERSITY OF ARKANSAS REVOLVING LOAN FUND.
5. EMERGENCY SECONDARY EDUCATION LOAN PROGRAM. [REPEALED.]
6. TEACHER OPPORTUNITY PROGRAM.
7. RURAL MEDICAL PRACTICE STUDENT LOANS AND SCHOLARSHIPS.
8. MINORITY TEACHER EDUCATION LOAN PROGRAM. [REPEALED.]
9. FRESHMAN/SOPHOMORE MINORITY PROSPECTIVE TEACHER LOAN PROGRAM. [REPEALED.]
10. GRANT PROGRAM FOR NURSE MIDWIFE STUDENTS. [REPEALED.]
11. FINANCING POSTSECONDARY OUT-OF-STATE EDUCATION.
12. GRADUATE NURSING PRACTICE AND NURSE EDUCATOR STUDENT LOANS AND SCHOLARSHIPS.
13. UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT PROGRAM.
14. NURSING STUDENT LOAN PROGRAM.
15. STATE TEACHER ASSISTANCE RESOURCE PROGRAM. [REPEALED.]
16. STATE TEACHER EDUCATION PROGRAM.
17. TEACHER CANDIDATE LOAN FORGIVENESS PROGRAM.
18. OSTEOPATHIC RURAL MEDICAL PRACTICE STUDENT LOAN AND SCHOLARSHIP PROGRAM.

Cross References. Arkansas Student Loan Financing Act, § 15-5-1901 et seq.

SUBCHAPTER 1 — GENERAL PROVISIONS

[Repealed.]

SECTION.

6-81-101, 6-81-102. [Repealed.]
 6-81-103. [Repealed.]
 6-81-104. [Repealed.]
 6-81-105. [Repealed.]
 6-81-106 — 6-81-116. [Repealed.]
 6-81-117. [Repealed.]
 6-81-118 — 6-81-120. [Repealed.]
 6-81-121. [Repealed.]

SECTION.

6-81-122. [Repealed.]
 6-81-123. [Repealed.]
 6-81-124 — 6-81-126. [Repealed.]
 6-81-127 — 6-81-129. [Repealed.]
 6-81-130. [Repealed.]
 6-81-131. [Repealed.]
 6-81-132. [Repealed.]

Effective Dates. Acts 1993, No. 1284, § 12; Apr. 21, 1993. Emergency clause provided: "It is hereby found and determined by the General Assembly that there is an urgent need to make clear the power and authority of the Arkansas Student Loan Authority to participate in loan programs supplemental to those programs authorized by the federal Higher Education Act of 1965, as amended, in order to better serve the educational needs of the citizens of the state, and that the amendment of Title 6, Chapter 8 of the Arkansas Code will serve to further and accomplish this purpose. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall

be in full force and effect from and after its passage and approval."

Acts 2017, No. 824, § 19; July 1, 2017. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Student Loan Authority may be more efficiently structured; that restructuring will result in cost savings to the taxpayers of the State; and that this act is necessary because the Arkansas Development Finance Authority is well positioned to supervise the administration of a Student Loan Authority Division. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2017."

6-81-101, 6-81-102. [Repealed.]

Publisher's Notes. These sections, concerning definitions, and the Arkansas Student Loan Authority and its powers and duties, were repealed by Acts 2017, No. 824, § 2. The sections were derived from the following sources:

6-81-101. Acts 1977, No. 873, § 2; 1981, No. 296, § 1; 1983, No. 937, § 1; 1985, No. 429, § 1; 1985, No. 449, § 1; A.S.A. 1947, § 80-4032; Acts 1987, No. 631, § 1; 1987, No. 705, § 1; 1993, No. 1284, § 1; 1997, No. 923, § 3; 1999, No. 1218, § 5; 2011, No. 521, § 1.

6-81-102. Acts 1977, No. 873, §§ 3, 5; 1979, No. 633, §§ 1, 2; 1985, No. 429, § 2; 1985, No. 449, § 2; A.S.A. 1947, §§ 80-4033, 80-4035; Acts 1989, No. 377, § 1; 1997, No. 250, § 39; 1997, No. 923, § 4; 1999, No. 1218, § 6; 2011, No. 521, § 2.

For current law, see the Arkansas Student Loan Financing Act, § 15-5-1901 et seq. For the Student Loan Authority Division of the Arkansas Development Finance Authority, see § 15-5-1902.

6-81-103. [Repealed.]

Publisher's Notes. This section, concerning nonprofit corporation in lieu of authority allowed, was repealed by Acts

2011, No. 521, § 3. The section was derived from Acts 1977, No. 873, § 19; A.S.A. 1947, § 80-4049.

6-81-104. [Repealed.]

Publisher's Notes. This section, concerning rules, was repealed by Acts 2017, No. 824, § 2. The section was derived from

Acts 1977, No. 873, § 21; A.S.A. 1947, § 80-4051; Acts 2011, No. 521, § 4.

6-81-105. [Repealed.]

Publisher's Notes. This section, concerning cooperation by the Student Loan Guarantee Foundation of Arkansas, was

repealed by Acts 2011, No. 521, § 5. The section was derived from Acts 1977, No. 873, § 4; A.S.A. 1947, § 80-4034.

6-81-106 — 6-81-116. [Repealed.]

Publisher's Notes. These sections, concerning financing authority, bonds, and notes, were repealed by Acts 2017, No. 824, § 2. The sections were derived from the following sources:

6-81-106. Acts 1977, No. 873, § 6; 1981, No. 296, § 2; 1983 (1st Ex. Sess.), No. 39, § 1; 1983 (1st Ex. Sess.), No. 51, § 1; 1983 (1st Ex. Sess.), No. 62, § 1; A.S.A. 1947, § 80-4036; Acts 2011, No. 521, § 6.

6-81-107. Acts 1977, No. 873, § 6; 1981, No. 296, § 2; 1983 (1st Ex. Sess.), No. 39, § 1; 1983 (1st Ex. Sess.), No. 62, § 1; A.S.A. 1947, § 80-4036; Acts 1987, No. 631, § 2; 1987, No. 705, § 2; 2011, No. 521, § 7.

6-81-108. Acts 1981, No. 762, § 1; 1983, No. 937, § 9; A.S.A. 1947, § 80-4056; Acts 2011, No. 521, § 8.

6-81-109. Acts 1977, No. 873, § 6; 1983, No. 937, § 2; A.S.A. 1947, § 80-4036; Acts 2011, No. 521, § 9.

6-81-110. Acts 1977, No. 873, § 6; 1983,

No. 937, § 2; A.S.A. 1947, § 80-4036; Acts 2011, No. 521, § 10.

6-81-111. Acts 1977, No. 873, § 6; 1983, No. 937, § 2; A.S.A. 1947, § 80-4036; Acts 2011, No. 521, § 11.

6-81-112. Acts 1977, No. 873, § 6; 1983, No. 937, § 2; 1983 (1st Ex. Sess.), No. 51, § 1; A.S.A. 1947, § 80-4036; Acts 2011, No. 521, § 12.

6-81-113. Acts 1977, No. 873, § 7; 1981, No. 296, § 3; A.S.A. 1947, § 80-4037; Acts 2011, No. 521, § 13.

6-81-114. Acts 1977, No. 873, § 12; 1981, No. 296, § 5; 1985, No. 429, § 6; 1985, No. 449, § 6; A.S.A. 1947, § 80-4042; Acts 2011, No. 521, § 14.

6-81-115. Acts 1977, No. 873, § 14; 1981, No. 296, § 6; 1983, No. 937, § 4; A.S.A. 1947, § 80-4044; Acts 2011, No. 521, § 15.

6-81-116. Acts 1977, No. 873, § 20; 1981, No. 296, § 7; A.S.A. 1947, § 80-4050; Acts 2011, No. 521, § 16.

6-81-117. [Repealed.]

Publisher's Notes. This section, concerning bond redemption and interest funds, was repealed by Acts 1993, No. 1284, § 2. The section was derived from

Acts 1977, No. 873, § 12; 1981, No. 296, § 5; 1985, No. 429, § 6; 1985, No. 449, § 6; A.S.A. 1947, § 80-4042.

6-81-118 — 6-81-120. [Repealed.]

Publisher's Notes. These sections, concerning cash funds, refunding obliga-

tions, and obligations designated as legal and authorized investments, were re-

pealed by Acts 2017, No. 824, § 2. The sections were derived from the following sources:

6-81-118. Acts 1977, No. 873, § 13; 1983, No. 937, § 3; 1985, No. 429, § 7; 1985, No. 449, § 7; A.S.A. 1947, § 80-4043; Acts 1987, No. 631, § 4; 1987, No. 705, § 4; 2011, No. 521, § 17.

6-81-121. [Repealed.]

Publisher's Notes. This section, concerning bonds, notes, etc. — sufficient security for state and local funds, was repealed by Acts 2011, No. 521, § 20. The

6-81-119. Acts 1977, No. 873, § 16; 1983, No. 937, § 5; A.S.A. 1947, § 80-4046; Acts 2011, No. 521, § 18.

6-81-120. Acts 1977, No. 873, § 17; 1983, No. 937, § 6; A.S.A. 1947, § 80-4047; Acts 2011, No. 521, § 19.

section was derived from Acts 1977, No. 873, § 17; 1983, No. 937, § 6; A.S.A. 1947, § 80-4047.

6-81-122. [Repealed.]

Publisher's Notes. This section, concerning investment of excess funds, was repealed by Acts 2017, No. 824, § 2. The section was derived from Acts 1977, No.

873, § 18; 1979, No. 633, § 2; 1983, No. 937, § 7; 1985, No. 429, § 9; 1985, No. 449, § 9; A.S.A. 1947, § 80-4048; Acts 1993, No. 1284, § 3; 2011, No. 521, § 21.

6-81-123. [Repealed.]

Publisher's Notes. This section, concerning repayment of outstanding obligations, was repealed by Acts 1993, No. 1284, § 4. The section was derived from Acts 1977, No. 873, § 6; 1981, No. 296,

§ 2; 1983 (1st Ex. Sess.), No. 39, § 1; 1983 (1st Ex. Sess.), No. 62, § 1; A.S.A. 1947, § 80-4036; Acts 1987, No. 631, § 2; 1987, No. 705, § 2.

6-81-124 — 6-81-126. [Repealed.]

Publisher's Notes. These sections, concerning student loan funds, contractual capacity of students, and purchase of student loan notes, were repealed by Acts 2017, No. 824, § 2. The sections were derived from the following sources:

6-81-124. Acts 1977, No. 873, § 8; 1981, No. 296, § 4; 1985, No. 429, § 3; 1985, No. 449, § 3; A.S.A. 1947, § 80-4038; Acts 1987, No. 631, § 3; 1987, No. 705, § 3; 1993, No. 1284, § 5; 2011, No. 521, § 22.

6-81-125. Acts 1977, No. 873, § 10; 1985, No. 429, § 4; 1985, No. 449, § 4; A.S.A. 1947, § 80-4040.

6-81-126. Acts 1977, No. 873, §§ 11, 15; 1985, No. 429, §§ 5, 8; 1985, No. 449, §§ 5, 8; A.S.A. 1947, §§ 80-4041, 80-4045; Acts 1993, No. 1284, § 6; 2011, No. 521, § 23.

6-81-127 — 6-81-129. [Repealed.]

Publisher's Notes. These sections, concerning students of proprietary institutions — reports, collection of defaulted loans, and contracts with entities for certain services authorized, were repealed by Acts 2011, No. 521, § 24. The sections were derived from the following sources:

6-81-127. Acts 1977, No. 951, §§ 5, 6;

A.S.A. 1947, §§ 80-4053, 80-4054; Acts 1993, No. 1284, § 7; 1997, No. 112, § 23.

6-81-128. Acts 1979, No. 1072, § 1; A.S.A. 1947, § 80-4055.

6-81-129. Acts 1977, No. 873, § 15; 1985, No. 429, § 8; 1985, No. 449, § 8; A.S.A. 1947, § 80-4045; Acts 1993, No. 1284, § 8.

6-81-130. [Repealed.]

Publisher's Notes. This section, concerning an annual audit, was repealed by Acts 2017, No. 824, § 2. The section was derived from Acts 1977, No. 873, § 22;

1985, No. 429, § 10; 1985, No. 449, § 10; A.S.A. 1947, § 80-4052; Acts 1987, No. 631, § 5; 1987, No. 705, § 5.

6-81-131. [Repealed.]

Publisher's Notes. This section, concerning administration of existing programs, was repealed by Acts 2011, No.

521, § 25. The section was derived from Acts 2001, No. 1607, § 1; 2009, No. 1215, § 1.

6-81-132. [Repealed.]

Publisher's Notes. This section, concerning an interest rate exchange agreement, was repealed by Acts 2017, No. 824,

§ 2. The section was derived from Acts 2011, No. 521, § 26.

SUBCHAPTER 2 — STUDENT LOAN GUARANTEE FOUNDATION OF ARKANSAS

SECTION.

- 6-81-201. Administration of student loan provisions of federal laws.
- 6-81-202. Administration of funds.
- 6-81-203. Disbursing officer.

SECTION.

- 6-81-204. Use of funds, securities, etc.
- 6-81-205. Sale of securities.
- 6-81-206. Annual audit.

A.C.R.C. Notes. Acts 1968 (1st Ex. Sess.), No. 27, § 2, in part, abolished the Arkansas Student Loan Board which was established pursuant to Acts 1961, No. 498, and transferred all funds in the State Treasury credited to the Student Loan Fund and all assets, both cash and securities, equities, and all outstanding loans on which the principal and interest are payable to the Arkansas Student Loan Board to the Student Loan Guarantee Foundation. Section 2 further provided that all such funds transferred to the Student Loan Guarantee Foundation under the act, and the interest earned thereon, and all moneys received from repayment of loans would be administered as trust funds to be used exclusively for the purposes provided in the act.

Acts 1968 (1st Ex. Sess.), No. 27, § 3, provided, in part, that all notes or other obligations transferred to the Student Loan Guarantee Foundation pursuant to the act as evidence of loans made by the Student Loan Board would be held by the foundation and the principal and interest thereon would be paid to the foundation subject to such penalties and other provi-

sions as provided in Acts 1961, No. 498. Section 3 further provided that these loans would be administered and collected by the foundation in accordance with the procedures, powers, and duties provided in Acts 1961, No. 498. Section 3 additionally provided that the foundation would make no new student loans under the provisions of Acts 1961, No. 498.

Acts 1987, No. 574, § 2, provided that all assets held by the Student Loan Guarantee Foundation of Arkansas by virtue of the transfer of assets of the Student Loan Board by Acts 1968 (1st Ex. Sess.), No. 26 shall be transmitted to the Treasurer of State within 60 days after the effective date of this Act to be deposited as special revenues into the 76th Session Transfer Fund.

Preambles. Acts 1968 (1st Ex. Sess.), No. 27, contained a preamble which read: "Whereas, Public Law 89-329, enacted by the United States Congress, commonly referred to as the 'Higher Education Act of 1965,' established a program to implement federal, state and private programs of low-interest insured loans to students in institutions of higher education; and

"Whereas, Public Law 89-287, enacted by the United States Congress, commonly referred to as 'The National Vocational Student Loan Insurance Act of 1965,' established a program of providing low interest insured loans to students attending vocational-technical training schools; and

"Whereas, the Student Loan Guarantee Foundation of Arkansas, a nonprofit corporation organized under the provisions of Act 176 of 1963, was established, and designated by the Governor of the State of Arkansas, as the agency in this State to administer the student loan provisions under Public Law 89-329 and 89-287; and

"Whereas, the Student Loan Guarantee Foundation of Arkansas has been approved by the Federal Government as the appropriate agency in this State to administer such student loan guarantee programs, yet such Foundation does not presently have sufficient assets by which to establish the necessary reserves required in connection with student loans guaranteed by federal funds; and

"Whereas, the Arkansas Student Loan Board has assets which, if made available to said Foundation, would enable it to approve federal guaranteed loans to needy and deserving Arkansas students;

"Now, therefore ... "

Effective Dates. Acts 1968 (1st Ex. Sess.), No. 27, § 6: Feb. 20, 1968. Emer-

gency clause provided: "It is hereby found and determined by the General Assembly that the Student Loan Guarantee Foundation of Arkansas has approved a number of federal guaranteed student loans under the provisions of Public Laws 89-329 and 89-287; that said Foundation is administering said loan program under direct authorization from the Governor of Arkansas and has been approved by the Federal Government as the agency in this State to administer such student guarantee loan program; that said Foundation is without sufficient funds to continue to provide the necessary matching reserve requirements required for guaranteeing federal student loans; that unless funds are immediately provided to said Foundation to meet such reserve requirements hundreds of deserving students in this State will be deprived of educational opportunities; and that the immediate passage of this act is necessary to provide a source of funds to said Foundation to continue to administer the federal student loan guarantee program for the benefit of deserving college and vocational-technical students of this State. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

6-81-201. Administration of student loan provisions of federal laws.

(a) The Student Loan Guarantee Foundation of Arkansas, a private nonprofit corporation organized under the laws of this state for the purposes, as stated in its articles of incorporation, "to do any and all necessary things to implement the student loan fund program as provided for in Pub. L. No. 89-329 and in such other programs of like or similar nature which may be established by the federal or state governments in the future", and which has been designated by the Governor and recognized by the United States Government as the appropriate agency in this state to administer such student loan programs, is recognized and confirmed as the agency in this state to administer the student loan provisions of that United States law, or comparable laws enacted by the United States Congress, for the purpose of providing guaranteed student loans to citizens of this state attending institutions of higher education or vocational and technical training schools.

(b)(1) The provisions of this subchapter recognize and confirm the foundation, a private nonprofit corporation, as the agency in this state to administer the student loan provisions of federal law. The foundation has been recognized as the agency in this state to administer the student loan laws, but that fact did not result in the foundation being made an agency of this state.

(2) The foundation is not a state agency and therefore is not subject to the Arkansas Procurement Law, § 19-11-201 et seq., to the Arkansas Administrative Procedure Act, § 25-15-201 et seq., or to other enactments of the General Assembly which are applicable to state agencies. Therefore, the foundation is not required to deposit into the State Treasury any federal funds or other funds received by it.

History. Acts 1968 (1st Ex. Sess.), No. 27, § 1; A.S.A. 1947, § 80-4013; Acts 1987, No. 574, § 1. to in this section, is known as the Higher Education Act of 1965 and is codified primarily as 20 U.S.C. § 1001 et seq.

U.S. Code. Public Law 89-329, referred

CASE NOTES

Cited: In re Smith, 217 B.R. 567 (Bankr. E.D. Ark. 1998).

6-81-202. Administration of funds.

(a)(1) All moneys received by the Student Loan Guarantee Foundation of Arkansas under the provisions of this subchapter shall be deposited by the foundation into bank accounts in one (1) or more banks of this state, or the moneys may be placed on deposit into savings and loan associations in this state, the deposits of which are insured by the Federal Deposit Insurance Corporation.

(2) However, the amount of the deposits in any bank or savings and loan association in this state shall not exceed the amount insured by the Federal Deposit Insurance Corporation unless the amount of all deposits in excess of the amount insured by the Federal Deposit Insurance Corporation is secured to the full amount thereof at any time remaining on hand by the deposit, under a special depository agreement with another Arkansas bank of the foundation's selection, and approved by the Chief Fiscal Officer of the State, of direct obligations of the United States or the State of Arkansas having at all times a market value of not less than the amount of the balance.

(b) The foundation shall deposit into savings accounts or certificates of deposit in such banks or savings and loan associations the maximum amount of such funds which are not otherwise required to be maintained in checking accounts to meet the obligations of the foundation under the provisions of this subchapter or applicable federal laws and regulations.

History. Acts 1968 (1st Ex. Sess.), No. 27, § 2; A.S.A. 1947, § 80-4014.

6-81-203. Disbursing officer.

(a) The Student Loan Guarantee Foundation of Arkansas shall designate a disbursing officer who shall administer the trust funds made available to the foundation under the provisions of this subchapter.

(b)(1) The disbursing officer shall file a surety bond of a corporate surety authorized to do business in this state with the Secretary of State and an executed counterpart thereof with the Auditor of State in such amount and form as may be provided by the Auditor of State and the Chief Fiscal Officer of the State conditioned upon the faithful administration and accounting of all funds received by the foundation in accordance with the provisions of this subchapter.

(2) The bond shall be renewed annually and proof of the renewal furnished to the Secretary of State and Auditor of State.

History. Acts 1968 (1st Ex. Sess.), No. 27, § 3; A.S.A. 1947, § 80-4015.

6-81-204. Use of funds, securities, etc.

All of the funds, securities, equities, and assets received by the Student Loan Guarantee Foundation of Arkansas under the provisions of this subchapter shall be used exclusively for the purposes of providing the state's matching reserves requirements or other obligations under Pub. L. No. 89-329, as the funds, securities, equities, and assets relate to insured loans made to students attending institutions of higher education, and in meeting other obligations required by that federal law. None of the funds, securities, equities, or assets shall be used for maintenance, operation, or support of the foundation.

History. Acts 1968 (1st Ex. Sess.), No. 27, § 3; A.S.A. 1947, § 80-4015.

to in this section, is known as the Higher Education Act of 1965 and is codified primarily as 20 U.S.C. § 1001 et seq.

U.S. Code. Public Law 89-329, referred

6-81-205. Sale of securities.

(a) Whenever moneys made available to the Student Loan Guarantee Foundation of Arkansas under the provisions of this subchapter are insufficient to meet cash obligations of the foundation pursuant to applicable federal laws, the foundation is authorized to sell for cash any securities transferred to the foundation under the provisions of this subchapter, except the notes or other obligations received by the foundation as evidence of loans made by the Arkansas Student Loan Board.

(b) Before selling any such securities, the foundation shall notify the Chief Fiscal Officer of the State of its intent to sell the securities.

(c) The Chief Fiscal Officer of the State shall establish the procedures which the foundation shall follow with respect to the sale of any securities.

(d) The Chief Fiscal Officer of the State, before any sale is final, shall give his or her written approval thereof.

History. Acts 1968 (1st Ex. Sess.), No. 27, § 3; A.S.A. 1947, § 80-4015.

6-81-206. Annual audit.

The Student Loan Guarantee Foundation of Arkansas is not subject to audit by the Legislative Joint Auditing Committee but, at least annually, shall contract for an audit by a certified public accountant and transmit a copy of the audit to the Legislative Joint Auditing Committee.

History. Acts 1987, No. 574, § 1.

A.C.R.C. Notes. Former § 6-81-206, which concerned annual audits, is deemed to be superseded by this section. The for-

mer section derived from Acts 1968 (1st Ex. Sess.), No. 27, § 3; A.S.A. 1947, § 80-4015.

SUBCHAPTER 3 — NURSING STUDENT LOANS

[Repealed.]

SECTION.

6-81-301 — 6-81-312. [Repealed.]

6-81-301 — 6-81-312. [Repealed.]

Publisher's Notes. This subchapter, concerning nursing student loans, was repealed by Acts 2001, No. 1692, § 4. The subchapter was derived from the following sources:

6-81-301. Acts 1977, No. 411, § 1; A.S.A. 1947, § 80-4801.

6-81-302. Acts 1977, No. 411, § 9; A.S.A. 1947, § 80-4809.

6-81-303. Acts 1977, No. 411, § 9; A.S.A. 1947, § 80-4809.

6-81-304. Acts 1977, No. 411, §§ 2, 3; A.S.A. 1947, §§ 80-4802, 80-4803.

6-81-305. Acts 1977, No. 411, § 5; A.S.A. 1947, § 80-4805.

6-81-306. Acts 1977, No. 411, §§ 3, 4; A.S.A. 1947, §§ 80-4803, 80-4804.

6-81-307. Acts 1977, No. 411, § 4; A.S.A. 1947, § 80-4804.

6-81-308. Acts 1977, No. 411, § 4; A.S.A. 1947, § 80-4804.

6-81-309. Acts 1977, No. 411, § 5; A.S.A. 1947, § 80-4805.

6-81-310. Acts 1977, No. 411, § 6; A.S.A. 1947, § 80-4806.

6-81-311. Acts 1977, No. 411, § 7; A.S.A. 1947, § 80-4807.

6-81-312. Acts 1977, No. 411, § 8; A.S.A. 1947, § 80-4808.

SUBCHAPTER 4 — UNIVERSITY OF ARKANSAS REVOLVING LOAN FUND

SECTION.

6-81-401. Creation and purpose.

6-81-402. Eligibility.

6-81-403. Board of Trustees to accept or reject applications.

6-81-404. Promissory note — Interest.

6-81-405. Maximum loan amount.

SECTION.

6-81-406. Rules as to repayment.

6-81-407. Defenses invalid.

6-81-408. Interest added to revolving perpetual fund.

6-81-409. Disbursement of funds.

Effective Dates. Acts 1925, No. 115, § 8: effective on passage.

Acts 1993, No. 455, § 5: Mar. 11, 1993. Emergency clause provided: "It is hereby found and determined by the General Assembly that the current statute, "The Committee to Accept or Reject Applications," A.C.A. 6-81-403, is inadequate.

Therefore in order to keep the Board of Trustees at the University of Arkansas at Fayetteville, functioning properly, an emergency is hereby declared to exist, and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

RESEARCH REFERENCES

Ark. L. Rev. Minors Liable as Adults on Certain Contracts, 21 Ark. L. Rev. 565.

6-81-401. Creation and purpose.

A revolving loan fund of three hundred thousand dollars (\$300,000) is provided for making loans to the students of the University of Arkansas in order to assist worthy young men and women who are residents of Arkansas to pursue their studies at the university.

History. Acts 1925, No. 115, § 1; Pope's Dig., § 13174; A.S.A. 1947, § 80-2830; Acts 1991, No. 902, § 1.

6-81-402. Eligibility.

Any person who is a student in the University of Arkansas and who is a bona fide resident of this state shall be eligible to participate under the provisions of this subchapter.

History. Acts 1925, No. 115, § 2; Pope's Dig., § 13175; A.S.A. 1947, § 80-2831.

6-81-403. Board of Trustees to accept or reject applications.

The Board of Trustees of the University of Arkansas shall annually review and approve a procedure to accept or reject applications for loans from the revolving loan fund.

History. Acts 1925, No. 115, § 4; Pope's Dig., § 13177; A.S.A. 1947, § 80-2833; Acts 1993, No. 455, § 1.

6-81-404. Promissory note — Interest.

The person securing a loan shall give his or her promissory note with interest to be established by the Board of Trustees of the University of Arkansas which shall be not less than four percent (4%) nor more than eight percent (8%) per annum.

History. Acts 1925, No. 115, § 3; Pope's A.S.A. 1947, § 80-2832; Acts 1991, No. Dig., § 13176; Acts 1955, No. 226, § 1; 902, § 2.

6-81-405. Maximum loan amount.

Not more than the full cost of tuition shall be loaned to any one (1) person in any one (1) academic year under the provisions of this subchapter.

History. Acts 1925, No. 115, § 3; Pope's A.S.A. 1947, § 80-2832; Acts 1991, No. Dig., § 13176; Acts 1955, No. 226, § 1; 902, § 3.

6-81-406. Rules as to repayment.

The Board of Trustees of the University of Arkansas shall establish rules regarding the manner and time of the repayment of the note.

History. Acts 1925, No. 115, § 4; Pope's A.S.A. 1947, § 80-2833; Acts 2019, No. 315, § 394. **Amendments.** The 2019 amendment substituted "rules" for "regulations" in the section heading and in the section text.

6-81-407. Defenses invalid.

The statute of limitations shall not run against notes made pursuant to this subchapter, nor shall the fact that the maker of the note may be a minor when the note is executed impair its validity.

History. Acts 1925, No. 115, § 3; Pope's Dig., § 13176; Acts 1955, No. 226, § 1; A.S.A. 1947, § 80-2832.

6-81-408. Interest added to revolving perpetual fund.

The interest on the notes when paid in shall be added to the revolving loan fund and the whole sum shall be used as a revolving perpetual fund to carry out the purposes of this subchapter.

History. Acts 1925, No. 115, § 5; Pope's Dig., § 13178; A.S.A. 1947, § 80-2834.

6-81-409. Disbursement of funds.

The disbursing agent of the University of Arkansas is authorized to draw the sums referred to in this subchapter in cash from the State Treasury as they may be needed, but not exceeding forty thousand dollars (\$40,000) at any one (1) time.

History. Acts 1925, No. 115, § 7; Pope's Dig., § 13179; A.S.A. 1947, § 80-2835; Acts 1991, No. 902, § 4.

SUBCHAPTER 5 — EMERGENCY SECONDARY EDUCATION LOAN PROGRAM**[Repealed.]**

SECTION.

6-81-501 — 6-81-511. [Repealed.]

6-81-501 — 6-81-511. [Repealed.]

Publisher's Notes. This subchapter, concerning the Emergency Secondary Education Loan Program, was repealed by Acts 2003, No. 1804, § 1. The subchapter was derived from the following sources:

- 6-81-501. Acts 1983, No. 390, § 1; A.S.A. 1947, § 80-4057.
- 6-81-502. Acts 1983, No. 390, § 2; A.S.A. 1947, § 80-4058.
- 6-81-503. Acts 1983, No. 390, § 5; A.S.A. 1947, § 80-4061.
- 6-81-504. Acts 1983, No. 390, § 4; A.S.A. 1947, § 80-4060.
- 6-81-505. Acts 1983, No. 390, § 4; A.S.A. 1947, § 80-4060.

- 6-81-506. Acts 1983, No. 390, § 3; A.S.A. 1947, § 80-4059.
- 6-81-507. Acts 1983, No. 390, § 4; A.S.A. 1947, § 80-4060.
- 6-81-508. Acts 1983, No. 390, § 4; A.S.A. 1947, § 80-4060.
- 6-81-509. Acts 1983, No. 390, § 4; A.S.A. 1947, § 80-4060.
- 6-81-510. Acts 1983, No. 390, § 4; A.S.A. 1947, § 80-4060.
- 6-81-511. Acts 1983, No. 390, § 3; 1985, No. 509, § 1; 1985, No. 1018, § 1; A.S.A. 1947, § 80-4059.

SUBCHAPTER 6 — TEACHER OPPORTUNITY PROGRAM

SECTION.

- 6-81-601. Purpose.
- 6-81-602. Establishment.
- 6-81-603. Administration.
- 6-81-604. Conditions.
- 6-81-605. Grants — Priority.
- 6-81-606. Discrimination prohibited.

SECTION.

- 6-81-607. Definitions.
- 6-81-608. Dual Licensure Incentive Program.
- 6-81-609. Dual licensure funding.
- 6-81-610. [Repealed.]

A.C.R.C. Notes. Acts 1987, No. 331, § 6, provided that all loan awards made under the Teacher and Administrator Enhancement and Retraining Loan Program as provided in Acts 1983, No. 109 (1st Ex. Sess.), as amended, are recognized as grants and all outstanding loan obligations under that legislation are terminated.

Publisher's Notes. Former subchapter 6, concerning the Teacher and Administrator Enhancement and Retraining Loan Program, was repealed by Acts 1987, No. 331, § 7. The former subchapter was derived from the following sources:

- 6-81-601. Acts 1983 (1st Ex. Sess.), No. 109, § 1; A.S.A. 1947, § 80-1268.
- 6-81-602. Acts 1983 (1st Ex. Sess.), No. 109, § 2; A.S.A. 1947, § 80-1268.1.
- 6-81-603. Acts 1983 (1st Ex. Sess.), No. 109, § 4; A.S.A. 1947, § 80-1268.3.
- 6-81-604. Acts 1983 (1st Ex. Sess.), No. 109, § 3; A.S.A. 1947, § 80-1268.2.
- 6-81-605. Acts 1983 (1st Ex. Sess.), No. 109, § 4; A.S.A. 1947, § 80-1268.3.
- 6-81-606. Acts 1983 (1st Ex. Sess.), No. 109, § 4; 1985, No. 166, § 1; 1985, No. 230, § 1; A.S.A. 1947, § 80-1268.3.

Cross References. Personnel, § 6-17-102 et seq.

Effective Dates. Acts 1987, No. 331, § 8: Mar. 19, 1987. Emergency clause provided: "It is hereby found and determined that this program is necessary to improve the quality of instruction in the public schools in Arkansas. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval."

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secre-

taries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is

declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-81-601. Purpose.

There is an existing need in the state to enhance the academic expertise of employed teachers in Arkansas by providing opportunities for them to pursue additional college instruction related to their employment.

History. Acts 1987, No. 331, § 1; 2005, No. 2196, § 1.

6-81-602. Establishment.

There is established a program to be known as the "Teacher Opportunity Program".

History. Acts 1987, No. 331, § 2; 2005, No. 2196, § 2.

6-81-603. Administration.

(a) The Teacher Opportunity Program shall be administered by the Division of Higher Education, which shall have the authority to establish necessary rules, procedures, and selection criteria for the administration of the program and to designate necessary forms and schedules.

(b) The division may utilize an appropriate advisory committee to assist it in its responsibilities in this program.

History. Acts 1987, No. 331, § 5; 2005, No. 2196, § 3; 2019, No. 315, § 395; 2019, No. 910, § 2023.

Amendments. The 2019 amendment by No. 315 deleted "regulations" following "rules" in (a).

The 2019 amendment by No. 910 substituted "Division of Higher Education" for "Department of Higher Education" in (a); and substituted "division" for "department" in (b).

6-81-604. Conditions.

The Division of Higher Education may make initial and continuing grants to students under the following conditions:

(1) Grant recipients shall be bona fide residents of the State of Arkansas, as defined by the Division of Higher Education;

(2) Grant recipients shall maintain current certification with the Division of Elementary and Secondary Education, allowing them to be employed by the public schools in Arkansas;

(3) Grant recipients shall be currently employed as teachers or administrators in Arkansas and declare an intention to continue that employment in Arkansas;

(4) Grant recipients shall be enrolled in an eligible accredited college or university in Arkansas;

(5) Grant recipients shall be enrolled in college-level courses directly related to their employment as certified by the Commissioner of Elementary and Secondary Education; and

(6) Grant recipients shall maintain a grade point average in their college work of no less than 2.5 on a 4.0 scale or maintain an appropriate equivalent as determined by the Division of Higher Education.

History. Acts 1987, No. 331, § 3; 2005, No. 2196, § 4; 2019, No. 910, § 2024.

Amendments. The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Education” in the introductory language and in

(1) and (6); substituted “Division of Elementary and Secondary Education” for “Department of Education” in (2); and substituted “Commissioner of Elementary and Secondary Education” for “Commissioner of Education” in (5).

6-81-605. Grants — Priority.

(a)(1) The first priority for the award of funds under the Teacher Opportunity Program is the award of reimbursements for additional education in:

- (A) Science, technology, engineering, or mathematics fields;
- (B) Computer science;
- (C) Literacy or reading;
- (D) Prekindergarten education; or
- (E) Special education.

(2) If funds are available after all awards are made under subdivision (a)(1) of this section, then additional reimbursements may be made in accordance with the following:

(A) A student may receive reimbursements up to but not in excess of the cost of his or her student fees, books, and instructional supplies at the public institution of higher education in this state assessing the highest rate of student fees;

(B) The reimbursements made to one (1) student within one (1) fiscal year may not exceed the costs associated with six (6) semester credit hours or the equivalent of six (6) semester credit hours; and

(C) All other requirements established by the Division of Higher Education are met.

(b)(1) The Division of Higher Education shall determine priorities for awarding reimbursements if there are more applicants than funds available.

(2) Priorities shall be determined in coordination with the Division of Elementary and Secondary Education and shall be based on the needs of the state.

History. Acts 1987, No. 331, § 3; 2005, No. 2196, § 5; 2009, No. 1214, § 1; 2017, No. 160, § 1; 2019, No. 910, §§ 2025, 2026.

Amendments. The 2017 amendment substituted “for additional education in” for “under the Dual Licensure Incentive Program, §§ 6-81-608 and 6-81-609” in (a)(1); added (a)(1)(A) through (a)(1)(E); substituted “subdivision (a)(1) of this section” for “the Dual Licensure Incentive

Program” in (a)(2); in (a)(2)(A), substituted “A student” for “Students” and inserted “his or her”; and substituted “student” for “individual” in (a)(2)(B).

The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Education” in (a)(2)(C) and (b)(1); and substituted “Division of Elementary and Secondary Education” for “Department of Education” in (b)(2).

6-81-606. Discrimination prohibited.

This subchapter shall in no way discriminate on the basis of race, color, national origin, religion, sex, or area of teacher education.

History. Acts 1987, No. 331, § 4.

6-81-607. Definitions.

As used in this subchapter:

(1) “Classroom teacher” means an individual who is required to hold a teaching license from the Division of Elementary and Secondary Education and who is:

- (A) Engaged directly in instruction with students in a classroom setting for more than seventy percent (70%) of the individual’s contracted time;
- (B) A media specialist or librarian;
- (C) A guidance counselor; or
- (D) An administrator;

(2) “Dual licensure” means licensure to teach in more than one (1) subject area; and

(3) “Student” means a classroom teacher who is attending an institution of higher education for additional education in:

- (A) Science, technology, engineering, or mathematics fields;
- (B) Computer science;
- (C) Literacy or reading;
- (D) Prekindergarten education; or
- (E) Special education.

History. Acts 2005, No. 2196, § 6; 2009, No. 1214, § 2; 2017, No. 160, § 2; 2019, No. 910, § 2027.

Amendments. The 2017 amendment substituted “for additional education in” for “as part of the Dual Licensure Incentive

Program, §§ 6-81-608 and 6-81-609” in (3); and added (3)(A) through (3)(E).

The 2019 amendment substituted “Division of Elementary and Secondary Education” for “Department of Education” in the introductory language of (1).

6-81-608. Dual Licensure Incentive Program.

(a) There is created the Dual Licensure Incentive Program to encourage classroom teachers currently employed by school districts in the state to return to college to obtain licensure in one (1) or more additional subject areas.

(b) The program shall be administered by the Division of Higher Education.

(c)(1) A classroom teacher returning to college as a student may receive a reimbursement not to exceed the cost of student fees, books, and instructional supplies.

(2) The student fee reimbursement amount shall be based on the student fees of the state-supported institution of higher education that assesses the highest rate of student fees in this state.

(d) The reimbursement made to a classroom teacher returning to college as a student in one (1) fiscal year may not exceed the cost associated with six (6) semester credit hours or the equivalent of six (6) semester credit hours.

History. Acts 2005, No. 2196, § 6; substituted "Division of Higher Education" for "Department of Higher Education" in (b).
2009, No. 1214, § 3; 2019, No. 910, § 2028.

Amendments. The 2019 amendment

6-81-609. Dual licensure funding.

(a)(1)(A) A classroom teacher employed by a school district in the state may receive a reimbursement from the Dual Licensure Incentive Program if the classroom teacher returns to an approved institution of higher education to obtain licensure in an additional subject area:

(i) Declared to be a shortage area by the Division of Elementary and Secondary Education;

(ii) That the classroom teacher is currently teaching but for which he or she does not have a licensure; or

(iii) And grade level in which the school district has requested a waiver under § 6-17-309.

(B)(i) A reimbursement from the Dual Licensure Incentive Program shall include funding for the cost of tuition, books, and fees not to exceed three thousand dollars (\$3,000) each college year.

(ii) The amount of the reimbursement and the number of reimbursement recipients selected by the Division of Higher Education is contingent on the appropriation and availability of funding for such a purpose.

(2) To be eligible for a reimbursement under the Dual Licensure Incentive Program, the person shall be:

(A) Employed as a classroom teacher for no less than three (3) years of teaching immediately preceding the application; and

(B) Accepted for enrollment in a classroom teacher education program that will lead to a licensure to teach in a subject area that:

(i) Is different from the classroom teacher's current area of licensure; and

(ii) Either:

(a) Has been identified as a subject area with a shortage of classroom teachers as declared by the Division of Elementary and Secondary Education; or

(b) Is in the grade level and subject matter area for which the school district has requested a waiver under § 6-17-309.

(b)(1) The Arkansas Higher Education Coordinating Board shall promulgate rules as necessary to implement the Dual Licensure Incentive Program.

(2) The number of classroom teacher participants each year shall be determined by the amount of funding available for the Dual Licensure Incentive Program and the limitations set under this section.

History. Acts 2005, No. 2196, § 6; 2009, No. 1214, § 4; 2019, No. 910, §§ 2029-2031.

Amendments. The 2019 amendment substituted "Division of Elementary and

Secondary Education" for "Department of Education" in (a)(1)(A)(i) and (a)(2)(B)(ii)(a); and substituted "Division of Higher Education" for "Department of Higher Education" in (a)(1)(B)(ii).

6-81-610. [Repealed.]

Publisher's Notes. This section, concerning dual certification bonus, was repealed by Acts 2009, No. 1214, § 5. The

section was derived from Acts 2005, No. 2196, § 6.

SUBCHAPTER 7 — RURAL MEDICAL PRACTICE STUDENT LOANS AND SCHOLARSHIPS

SECTION.

- 6-81-701. Definitions.
- 6-81-702. Arkansas Rural Medical Practice Student Loan and Scholarship Board.
- 6-81-703. Loan applications — Medical students and medical school graduates.
- 6-81-704. Medical students — Investigation after application.
- 6-81-705. Medical students — Purpose of loan.
- 6-81-706. Medical students — Eligibility for initial and renewal loans.
- 6-81-707. Maximum amount of loans.
- 6-81-708. Loan contracts — Rural Medical Practice Loans — Obligations and conditions.
- 6-81-709. [Repealed.]
- 6-81-710. Funding of loans.
- 6-81-711. Annual report.

SECTION.

- 6-81-712, 6-81-713. [Repealed.]
- 6-81-714. Dispute resolution — Determination of breach.
- 6-81-715. Medical school graduates — Community match contract — Eligibility.
- 6-81-716. Medical school graduates — Community match contract — Obligations and conditions.
- 6-81-717. [Repealed.]
- 6-81-718. Medical school alternates — Rural medical practice loans.
- 6-81-719. Tracking loan contract compliance.
- 6-81-720. Rural Medical Practice Student Loan and Scholarship Program administrator.
- 6-81-721. Noninterference with pending litigation.
- 6-81-722. Sunset clause.

A.C.R.C. Notes. Acts 2003, No. 828, § 1 provided: "Findings.

"(1)(A) The University of Arkansas College of Medicine includes nonfaculty members on the fifteen (15) member admissions committee.

"(B) The Liaison Committee for Medical Education, the accrediting body for allopathic medical schools in the United States, mandates that the admissions committee that selects applicants for admission shall be faculty members.

"(C) However, state law mandates that the fifteen (15) member College of Medicine Admissions Committee consist of both faculty and nonfaculty members, two (2) from each of the four (4) congressional districts, and one (1) member at large.

"(D) The intent of the General Assembly mandate is to provide greater committee representation from the entire state, in particular the underserved areas of Arkansas.

"(E) Each time the University of Arkansas College of Medicine is reviewed for accreditation by the Liaison Committee for Medical Education, the college is required to explain the reasons for the inclusion of nonfaculty members on the admissions committee.

"(F) The College of Medicine Admissions Committee is the only medical school admissions committee in the United States that includes nonfaculty members.

"(2)(A) Arkansas law mandates that seventy percent (70%) of the one hundred fifty (150) positions in the Freshman class each year be equally distributed among the four (4) congressional districts.

"(B) The seventy percent (70%) requirement increases the geographical distribution and number of applicants from underserved areas of the state who are accepted for admission.

"(C) The University of Arkansas College of Medicine is the only medical school in the United States that incorporates the seventy percent (70%) rule in the admissions process.

"(3)(A) Many state medical schools have programs similar to the Arkansas program whose purpose is to increase the number of physicians practicing in rural communities in the state.

"(B) Arkansas has had a program since 1949, the Arkansas Rural Medical Practice Student Loan and Scholarship Program, that provides financial incentives to medical students who contract to practice medicine in rural communities in the state.

"(C) Medical students are given substantial amounts of loans during medical school with the contractual agreement that the loans will be converted to grants or forgiven, if they complete residency training and practice medicine in an underserved rural community in the state.

"(D) However, Act 114 of 1995 created a new program, the Community Math Student Loan and Scholarship Program, which significantly modified the existing Arkansas Rural Medical Practice Student Loan and Scholarship Program.

"(E) Act 1257 of 1995 strengthened the penalties for students who default on their contractual obligation to practice medicine in the state.

"(F) However, the unique feature of Act 1114 of 1995, a specific provision that no other medical school in the United States has, is that if an alternate on the waiting list contracts with a rural community to practice primary care in that rural community, and the application is approved by the Arkansas Rural Medical Practice Student Loan and Scholarship Board that administers the program, the alternate is advanced to the top of the waiting list and this greatly enhances the applicant's chances of being admitted to medical school.

"(G) This unique feature also applies to alternates who wish to apply for the Arkansas Rural Practice Program.

"(H) Alternates who contract to practice medicine in a rural underserved community in the state, if approved by the board, are advanced on the waiting list, just below the Community Match Alternates who are approved and advanced.

"(I) Since the program's inception in 1995, the University of Arkansas College of Medicine has had approximately one hundred twenty-five (125) physicians-in-training contract to return to underserved areas of the state to practice full time primary care medicine.

"(J) Applicants from underserved areas are typically given greater considerations for participation and approval for the rural loan and scholarship programs."

Publisher's Notes. Acts 1971, No. 133, § 10; Acts 1971, No. 533, § 10; and Acts 1972 (1st Ex. Sess.), No. 62, § 2, provided that no provisions of those acts would impair any loan obligation then outstanding and not repaid or otherwise satisfied which had been entered into pursuant to the provisions of Acts 1949, No. 131, as amended, but the obligation was to remain due and payable and subject to satisfaction all in accordance with the terms of the prior legislation.

Preambles. Acts 1949, No. 131 contained a preamble which read: "Whereas,

the number of doctors within the State of Arkansas are not adequate enough to meet the constant demand of the people of this state and;

"Whereas, there are many rural communities within the State of Arkansas without medical care, it is the purpose of this Act to increase the number of doctors by financing those medical students who need such aid in order to complete their education"

Effective Dates. Acts 1971, Nos. 133, 533, § 13: Feb. 22, 1971 and Apr. 5, 1971, respectively. Emergency clauses provided: "It has been found and determined by the General Assembly that there is a pressing and immediate need for additional physicians in the rural areas of Arkansas; that this Act has as its purpose the furnishing of financial assistance to medical students attending medical school in Arkansas who have the intent and desire to engage in rural community practice in Arkansas and will so obligate themselves; and that it is necessary in order to protect the lives, the health and the general welfare of citizens of Arkansas that additional physicians reside and practice in such areas. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval."

Acts 1972 (1st Ex. Sess.), No. 62, § 5: Mar. 6, 1972. Emergency clause provided: "It has been found and determined by the Sixty-Eighth General Assembly meeting in Extraordinary Session that there is a pressing and immediate need for additional physicians in the rural areas of Arkansas; that this Act has as its purpose the furnishing of financial assistance to medical students attending medical school in Arkansas who have the intent and desire to engage in rural community practice in Arkansas and will so obligate themselves; and that it is necessary in order to protect the lives, the health and the general welfare of citizens of Arkansas that additional physicians reside and practice in such areas. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval."

Acts 1981, No. 47, § 5: Feb. 11, 1981. Emergency clause provided: "It is hereby

found and determined by the Seventy-Third General Assembly that the definition of rural community under the Rural Medical Practice Student Loan Scholarship Program is limited to communities with no more than six thousand (6,000) persons; that due to the increase in population in recent years this definition is too restrictive, and that this Act is immediately necessary to expand such definition and thereby provide increased medical services for rural Arkansas. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1985, No. 797, § 3: Apr. 3, 1985. Emergency clause provided: "It is hereby found and determined by the General Assembly that the definition of rural community as used in the Rural Medical Student Loan and Scholarship Act has been misconstrued; that it is the intention of this Act to redefine the term 'rural community' for the purposes of that Act and to make it applicable to persons who have in the past or now practice medicine in such rural communities; that some doctors have been denied the cancellation of their loans due to the misinterpretation of the law; and that this Act is immediately necessary to provide an equitable remedy to such persons. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1991, No. 359, § 7: Mar. 5, 1991. Emergency clause provided: "It is found and determined by the General Assembly that the Arkansas Rural Medical Practice Student Loan and Scholarship Program should be revised for the purpose of strengthening the program; that the definition of rural community as used in the Rural Medical Student Loan and Scholarship Act should be expanded to include a community which meets the definition at the time the loan recipient is required to enter into the practice of medicine in the community; that revision of the definition is necessary to provide encouragement for physicians to practice in rural communities; and that the change in the definition should be applied retroactively to loan

contracts entered into prior to the effective date of the act in order to encourage more loan recipients to practice full time in such rural communities. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.”

Acts 1995, No. 1114, § 10: Apr. 10, 1995. Emergency clause provided: “It is hereby found and determined by the Eightieth General Assembly that there is a pressing and immediate need for additional physicians in rural areas of Arkansas; that this act has as its purposes the furnishing of financial assistance to medical students attending the University of Arkansas College of Medicine who have the interest and desire to engage in rural community practice in Arkansas and will so obligate themselves. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.”

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: “It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act be-

comes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.”

Acts 2007, No. 1058, § 10: Apr. 4, 2007. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that amendments and clarifications are needed in order for all rural communities to have more equal access to physician providers, for the Rural Medical Practice Student Loan and Scholarship Board to have more flexibility in working with loan recipients to remedy contractual obligations, and for attempts at resolution to occur; and that it is imperative that changes be made in state law to remedy these problems. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

6-81-701. Definitions.

As used in this subchapter:

(1) “Medically underserved” means an area in Arkansas that the Arkansas Rural Medical Practice Student Loan and Scholarship Board determines has unmet needs for medical services due to factors, including without limitation:

- (A) The ratio of primary care physicians to population;
- (B) The infant mortality rate;
- (C) The percentage of:

- (i) Population with incomes below the federal poverty level, as it existed on January 1, 2017;
- (ii) Resident individuals sixty (60) years of age and older; and
- (iii) Physicians sixty (60) years of age and older;

- (D) Accessibility within the area to primary care medicine; and
- (E) Other relevant criteria the board may deem necessary for a determination of unmet needs for medical services;
- (2) "Primary care medicine" means health care provided in one (1) of the following areas of practice:
 - (A) Family medicine;
 - (B) General internal medicine;
 - (C) General internal medicine and pediatrics;
 - (D) General pediatrics;
 - (E) General obstetrics and gynecology;
 - (F) General surgery;
 - (G) Emergency medicine; and
 - (H) Geriatrics; and
- (3) "Qualified rural community" means an area:
 - (A) With a population below twenty thousand (20,000) according to the most recent federal census;
 - (B) That is at least twenty (20) miles from a city or town with a population of more than twenty thousand (20,000) according to the most recent federal census; and
 - (C) That is reasonably determined by the board to be medically underserved.

History. Acts 1949, No. 131, § 9; 1955, No. 69, § 2; 1963, No. 181, § 1; 1971, No. 133, § 7; 1971, No. 533, § 7; 1972 (1st Ex. Sess.), No. 62, § 1; 1981, No. 47, § 2; 1983, No. 649, § 1; 1985, No. 797, § 1; A.S.A. 1947, § 80-2916; Acts 1987, No. 151, § 3; 1991, No. 359, § 2; 1995, No. 1114, § 1; 1995, No. 1257, § 1; 2003, No. 676, § 1; 2007, No. 1058, § 1; 2009, No. 708, § 1; 2017, No. 132, § 1.

A.C.R.C. Notes. Acts 1991, No. 359, § 3, provided that the amendments to this section by that act were to be applied retroactively to loan contracts entered into prior to March 5, 1991.

Acts 1995, No. 1257, § 4 provided "The provisions of this act shall not apply to any person entering a Rural Medical Practice Student Loan prior to the 1995-96

school year or to any subsequent Rural Medical Practice Student Loan contracts entered into by those persons."

Publisher's Notes. Acts 1995, No. 1114 took effect April 10, 1995.

Acts 1995, No. 1257 took effect July 28, 1995.

Amendments. The 2017 amendment deleted former (1) and (2) and redesignated the remaining subsections accordingly; in the first sentence of (1), substituted "an area in Arkansas that the Arkansas Rural Medical Practice Student Loan and Scholarship Board determines has" for "an area that the board determines to have"; in (1)(C)(i), substituted "January 1, 2017" for "January 1, 2007"; and rewrote (3).

RESEARCH REFERENCES

U. Ark. Little Rock L. Rev. Survey of Legislation, 2003 Arkansas General Assembly, Education Law, Loan Programs

for Students, 26 U. Ark. Little Rock L. Rev. 379.

CASE NOTES

Applicability.

This section was not meant to operate retrospectively. Arkansas Rural Medical

Practice Student Loan & Scholarship Bd. v. Luter, 292 Ark. 259, 729 S.W.2d 402 (1987).

6-81-702. Arkansas Rural Medical Practice Student Loan and Scholarship Board.

(a)(1) There is established the Arkansas Rural Medical Practice Student Loan and Scholarship Board that shall consist of eight (8) members appointed by the Governor for three-year terms.

(2) Vacancies shall be filled in a similar manner.

(3) The Governor shall consider a range of practice specialties and geographical areas of practice in making appointments to the board.

(4) The Dean of the College of Medicine of the University of Arkansas for Medical Sciences shall be appointed as a member and chair of the board by the Governor and subject to confirmation by the Senate.

(5) Two (2) members shall be duly qualified, licensed, and active medical practitioners and appointed by the Governor after consulting with the Arkansas Medical Society, Inc., and subject to confirmation by the Senate.

(6) One (1) member shall be a licensed practicing physician in this state and shall be appointed by the Governor after consulting with the Physician's Section of the Arkansas Medical, Dental, and Pharmaceutical Association, Inc., and subject to confirmation by the Senate.

(7) Two (2) members shall be appointed by the Governor after consulting with the Dean of the College of Medicine of the University of Arkansas for Medical Sciences and subject to confirmation by the Senate.

(8) One (1) member shall be appointed by the Governor after consulting with the Arkansas Rural Health Partnership and subject to confirmation by the Senate.

(9) One (1) member shall be appointed by the Governor after consulting with the Arkansas Hospital Association, Inc., and subject to confirmation by the Senate.

(b) The board shall:

(1) Promulgate reasonable rules necessary to execute the provisions of this subchapter, including rules addressing the requirements and in conformance with the requirements of the Arkansas Administrative Procedure Act, § 25-15-201 et seq., and other appropriate state laws in promulgating and placing rules into effect:

(A) For a health professions shortage area;

(B) To become a qualified rural community eligible to participate in the Rural Medical Practice Student Loan and Scholarship Program or the Community Match Rural Physician Recruitment Program; and

(C) For a procedure to resolve disputes arising out of or relating to a rural practice or community match loan or income incentive contract;

(2) Prescribe forms for and regulate the submission of loan applications;

(3) Determine eligibility of applicants;

(4) Allow or disallow loan or income incentive applications;

(5) Contract, increase, decrease, terminate, and otherwise regulate all loan and income incentive disbursements for these purposes, receipts for their repayment, and convert loans to scholarships or grants, as applicable;

(6) Manage, operate, and control all funds and property appropriated or otherwise contributed for this purpose;

(7) Accept gifts, grants, bequests, or devises and apply them as a part of this program;

(8) Sue and be sued as the board; and

(9) Accept moneys from federal programs that may be used for furtherance of the purposes of this subchapter.

(c) The members of the board may receive expense reimbursement and stipends in accordance with § 25-16-901 et seq.

(d) The board shall administer the Rural Medical Practice Student Loan and Scholarship Program and the Community Match Rural Physician Recruitment Program.

History. Acts 1949, No. 131, §§ 1-3; 1971, No. 133, §§ 1-3; 1971, No. 533, §§ 1-3; A.S.A. 1947, §§ 80-2908 — 80-2910; Acts 1987, No. 151, § 1; 1995, No. 1114, § 2; 1997, No. 250, § 40; 2007, No. 1058, § 1; 2009, No. 708, § 1; 2021, No. 1079, § 1.

Publisher's Notes. As to the effect of the 1971 and 1972 amendments upon outstanding loan obligations, see Publisher's Notes to this subchapter.

Amendments. The 2021 amendment rewrote (a).

6-81-703. Loan applications — Medical students and medical school graduates.

(a) Any student accepted for admission to or enrolled in good standing in the College of Medicine of the University of Arkansas for Medical Sciences in studies leading to the degree of Doctor of Medicine who is a bona fide resident of Arkansas may apply for a loan under this subchapter on forms prescribed by the Arkansas Rural Medical Practice Student Loan and Scholarship Board.

(b) A graduate of the College of Medicine of the University of Arkansas for Medical Sciences or any accredited medical school in the United States may apply for the community match income incentive program under this subchapter on forms prescribed by the board so long as the applicant satisfies the criteria set forth in § 6-81-715.

History. Acts 1949, No. 131, § 4; 1971, No. 133, § 4; 1971, No. 533, § 4; A.S.A. 1947, § 80-2911; Acts 2007, No. 1058, § 1; 2009, No. 708, § 2.

Publisher's Notes. As to the effect of the 1971 and 1972 amendments upon outstanding loan obligations, see Publisher's Notes to this subchapter.

6-81-704. Medical students — Investigation after application.

When a rural medical practice loan application is filed with the Arkansas Rural Medical Practice Student Loan and Scholarship Board, the board shall examine the application, investigate the ability, character, and qualifications of the applicant, and investigate the financial

standing of the applicant or his or her parents to determine whether the applicant is in need of a loan to advance his or her medical education.

History. Acts 1949, No. 131, § 5; A.S.A. 1947, § 80-2912; Acts 2007, No. 1058, § 2.

6-81-705. Medical students — Purpose of loan.

Rural medical practice loans provided for in this subchapter shall be made for the sole purpose of paying the applicant's tuition, maintenance, and educational expenses and the necessary living expenses of his or her dependents while the applicant is enrolled in a program of medical education as described in this subchapter.

History. Acts 1949, No. 131, § 7; 1971, No. 133, § 6; 1971, No. 533, § 6; 1981, No. 47, § 1; A.S.A. 1947, § 80-2914; Acts 2007, No. 1058, § 2.

Publisher's Notes. As to the effect of the 1971 and 1972 amendments upon outstanding loan obligations, see Publisher's Notes to this subchapter.

6-81-706. Medical students — Eligibility for initial and renewal loans.

(a) The Arkansas Rural Medical Practice Student Loan and Scholarship Board may make rural medical practice loans to the applicant, each rural medical practice loan being expressly made subject to the provisions of § 6-81-708(c) and § 6-81-710, if it finds that:

- (1) The applicant is a bona fide resident of Arkansas;
- (2) The applicant has been accepted for admission to or is enrolled in good standing in the College of Medicine of the University of Arkansas for Medical Sciences in studies leading to the degree of Doctor of Medicine;
- (3) The applicant is enrolled in a medically underserved and rural practice curriculum;
- (4) The applicant needs financial assistance to complete his or her medical studies;
- (5) The applicant desires to practice medicine in an eligible qualified rural community; and
- (6) The applicant is a person of good moral character and one who has the talent and capacity to profit by medical studies.

(b) Subject to the availability of funds, an initial rural medical practice loan for one (1) academic year shall be renewable annually for the number of years required to complete studies leading to the Doctor of Medicine degree or for additional amounts, not to exceed the maximum amounts specified in § 6-81-707, but all subsequent rural medical practice loans shall be granted only upon application by the recipient and a finding by the board that:

- (1) The applicant has completed successfully the medical studies of the preceding academic year and remains in good standing as an enrolled student in the college;
- (2) The applicant is enrolled or participating in a medically underserved and rural practice curriculum;

- (3) The applicant continues to be a resident of Arkansas; and
- (4) The applicant's financial situation continues to warrant financial assistance made under the conditions of this section.

History. Acts 1949, No. 131, § 6; 1955, No. 69, § 1; 1971, No. 133, § 5; 1971, No. 533, § 5; A.S.A. 1947, § 80-2913; Acts 1987, No. 151, § 2; 1995, No. 1114, § 3; 2007, No. 1058, § 2; 2009, No. 376, § 55.

A.C.R.C. Notes. As amended by Acts 1995, No. 1114, § 3, subdivision (a)(3) began: "The applicant, beginning with the

1995-96 school year."

As amended by Acts 1995, No. 1114, § 3, subdivision (b)(2) began: "That, beginning with the 1995-96 school year."

Publisher's Notes. As to the effect of the 1971 and 1972 amendments upon outstanding loan obligations, see Publisher's Notes to this subchapter.

6-81-707. Maximum amount of loans.

(a) The maximum amount of each rural practice loan for medical students shall not exceed sixteen thousand five hundred dollars (\$16,500) per academic year or those costs that are reasonable and necessary for the student's attendance as determined by the Arkansas Rural Medical Practice Student Loan and Scholarship Board.

(b)(1) The maximum amount of each community match income incentive shall not exceed eighty thousand dollars (\$80,000) or as the board otherwise shall determine payable under § 6-81-716.

(2) The board shall provide one-half ($\frac{1}{2}$) of the community match income incentive, and the qualified rural community shall provide the other one-half ($\frac{1}{2}$) of the income incentive.

(3) However, if the board does not have sufficient funds to match the community's portion of the income incentive, nothing precludes a qualified rural community from providing the total income incentive amount.

History. Acts 1949, No. 131, § 7; 1971, No. 133, § 6; 1971, No. 533, § 6; 1981, No. 47, § 1; A.S.A. 1947, § 80-2914; Acts 1989, No. 22, § 1; 2007, No. 1058, § 2; 2009, No. 708, § 3.

Publisher's Notes. As to the effect of the 1971 and 1972 amendments upon outstanding loan obligations, see Publisher's Notes to this subchapter.

6-81-708. Loan contracts — Rural Medical Practice Loans — Obligations and conditions.

(a) The Arkansas Rural Medical Practice Student Loan and Scholarship Board shall enter into a loan contract with the applicant to whom a rural medical practice loan is made.

(b) The contract shall be approved by the Attorney General and shall be signed by the Chair of the Arkansas Rural Medical Practice Student Loan and Scholarship Board, countersigned by the Secretary of the Arkansas Rural Medical Practice Student Loan and Scholarship Board, and signed by the applicant.

(c) Each applicant to whom a rural medical practice loan or loans is granted by the Arkansas Rural Medical Practice Student Loan and Scholarship Board shall execute a written loan contract that incorporates the following obligations and conditions:

(1)(A) The recipient of a rural medical practice loan or loans shall bindingly contract that he or she shall practice primary care medicine full time in a qualified rural community upon completion of:

(i) His or her medical internship of one (1) year undertaken immediately following the earning of the degree of Doctor of Medicine;

(ii) Four (4) additional years of medical training beyond the internship if the training has been approved in advance by the Arkansas Rural Medical Practice Student Loan and Scholarship Board and includes practice experience in a rural community; or

(iii) At the request of the recipient of a rural medical practice loan, the Arkansas Rural Medical Practice Student Loan and Scholarship Board may approve the recipient's request to practice in more than one (1) qualified rural community to meet his or her obligation to practice full time if the Arkansas Rural Medical Practice Student Loan and Scholarship Board determines, based upon guidelines established by the Arkansas Rural Medical Practice Student Loan and Scholarship Board, that the physician need in the rural communities cannot sustain a full-time medical practice or that other compelling circumstances exist.

(B) The recipient of a rural medical practice loan or loans shall bindingly contract that for each year's loan he or she shall practice medicine in accordance with subdivision (c)(1)(A) of this section for a whole year.

(C) For each continuous whole year of medical practice, in accordance with subdivision (c)(1)(A) of this section, subject to reasonable leave periods, including without limitation vacation, sick leave, continuing medical education, jury duty, funerals, holidays, or military service, the Arkansas Rural Medical Practice Student Loan and Scholarship Board shall cancel, by converting to a scholarship grant, the full amount of one (1) year's loan plus accrued interest;

(2)(A) The recipient of a rural medical practice loan or loans shall bindingly contract that not engaging in the practice of medicine in accordance with the loan contract and with this subchapter may result in suspension of his or her license to practice medicine in this state.

(B) For any contract entered into after August 1, 2007, the recipient's medical license may not be suspended unless the recipient's contract contained a specific term that loss of license was a consequence of breach and the recipient signed a written acknowledgment of understanding that the suspension of license was explained to him or her orally as a potential consequence of breach of the contractual provisions.

(C) The suspension may be for a period of years equivalent to the number of years that the recipient is obligated to practice medicine in a rural area but has not so practiced and until the loan with interest together with any civil money penalties, as reduced by each full year of medical practice according to the terms of the loan contract, is paid in full;

(3) Any communication from the University of Arkansas College of Medicine with any state medical licensing board shall include a notation that the recipient of a rural medical practice loan has a contract with the State of Arkansas to practice medicine in a rural community and that breach of that contract may result in suspension of the recipient's Arkansas medical license;

(4)(A) In the event that any rural medical practice loan recipient under this subchapter does not engage in the practice of medicine in accordance with the terms of this section and of his or her loan contract in order to have the loan contract recognized as a scholarship, the recipient shall remain obligated to repay the loan or loans received, together with interest at the maximum rate allowed by Arkansas law or the federal discount rate plus five percent (5%) per annum, whichever is the lesser, the interest to accrue from the date each payment of funds was received by the recipient.

(B) Neither interest nor the obligation to repay the principal sums accrued shall accrue during any one (1) period of time that the recipient involuntarily serves on active duty in the United States Armed Forces.

(C) Repayment of principal with interest shall be due and payable in full at the earliest to occur of the following events:

(i) Failure to remain enrolled in a medically underserved and rural practice curriculum;

(ii) Failure to remain in enrollment status continuously to completion of the degree of Doctor of Medicine for any reason other than temporary personal illness;

(iii) Failure to complete internship;

(iv)(a) Failure to engage in the full-time practice of medicine while residing in a qualified rural community in Arkansas as defined in § 6-81-701.

(b) However, the Arkansas Rural Medical Practice Student Loan and Scholarship Board may waive the residency requirement on a case-by-case basis; and

(v) Failure to establish a practice as described under subdivision (c)(4)(C)(iv)(a) of this section within six (6) months following either internship or four (4) additional years of medical education that includes practice experience in a rural community;

(5) If an alternate on the waiting list for acceptance to the University of Arkansas College of Medicine enters into a rural medical practice program contract conditioned only upon the applicant's being accepted for admission to the college and otherwise meets the requirements of § 6-81-706 and if the applicant is moved to the top of the waiting list under § 6-81-718, the alternate's contract shall contain an additional term that breach of the contract may result in civil money penalties in the amount of one hundred percent (100%) of the loan amount; and

(6) This subsection shall not prohibit the Arkansas Rural Medical Practice Student Loan and Scholarship Board from considering and entering into a negotiated settlement with the rural medical practice

loan recipient involving the license suspension, the amount of the civil money penalty, and the terms of repayment of the loan.

(d) The Arkansas Rural Medical Practice Student Loan and Scholarship Board may amend agreements entered into with any loan recipient at any time prior to full performance of the recipient's contractual obligations.

(e)(1) A rural medical practice loan recipient may apply to the Dean of the College of Medicine of the University of Arkansas for Medical Sciences for a waiver of the contractual provisions set forth in subdivision (c)(2) of this section.

(2)(A) If the dean as Chair of the Arkansas Rural Medical Practice Student Loan and Scholarship Board determines that exigent circumstances warrant a waiver, the loan recipient shall be notified in writing.

(B) The dean shall immediately notify the Arkansas State Medical Board of such determination.

History. Acts 1949, No. 131, §§ 8, 9; 1955, No. 69, § 2; 1963, No. 181, § 1; 1971, No. 133, § 7; 1971, No. 533, § 7; 1972 (1st Ex. Sess.), No. 62, § 1; 1981, No. 47, § 2; 1983, No. 649, § 1; 1985, No. 797, § 1; A.S.A. 1947, §§ 80-2915, 80-2916; Acts 1987, No. 151, §§ 3, 4; 1989, No. 22, § 2; 1991, No. 359, § 1; 1995, No. 1114, § 4; 1995, No. 1257, § 2; 2003, No. 676, §§ 2, 3; 2007, No. 1058, § 2; 2009, No. 708, § 4; 2017, No. 132, § 2; 2021, No. 1079, § 2.

A.C.R.C. Notes. Acts 1989, No. 823, § 1, provided: "It is hereby found and determined by the General Assembly that Act 649 of 1983 amended the Arkansas law pertaining to the Arkansas Rural Medical Practice Student Loan and Scholarship Board by specifically providing that for the portion of any loan granted that had not been repaid or canceled by July 1, 1983, the recipient of such loan would not be required to reside in the rural community in which he or she practices as a condition for converting the loan into a scholarship grant but that the person would be required to meet other requirements of Act 649 of 1983. Despite the clear language of Act 649 of 1983, the Arkansas Rural Medical Practice Student Loan and Scholarship Board has continued to attempt to enforce the residency requirement on persons who received loans before the effective date of Act 649 of 1983. Therefore, it is the purpose of this section to remove all doubt that the state has relinquished its right to enforce the

residency requirement for those persons covered under Section 9(1)(C) of Act 131 of 1949, as amended by Act 649 of 1983.

"The State of Arkansas hereby waives all rights of the State and of the Arkansas Rural Medical Practice Student Loan and Scholarship Board to enforce the requirement in loans granted before July 1, 1983 that a person reside in the rural community in which he or she practices as a condition for converting a loan received from the Arkansas Rural Medical Practice Student Loan and Scholarship Board into a scholarship grant."

Pursuant to § 1-2-207, this section is set out above as amended by Acts 1995, No. 1257. Subsections (d) and (e) were also amended by Acts 1995, No. 1114, § 4, to read as follows:

"(d) Each applicant to whom a rural medical practice loan or loans shall be granted by the board after May 1, 1991, shall execute a written loan contract which shall incorporate the following obligations and conditions:

"(1)(A) The recipient of a rural medical practice loan or loans shall bindingly contract that upon completion of his or her medical internship of one (1) year undertaken immediately following the earning of the degree of Doctor of Medicine, or upon completion of three (3) additional years of medical training beyond the internship, if the training has been approved in advance by the board, he or she shall practice medicine full-time in a rural community.

"(B) For each continuous whole calendar year of medical practice in accordance with subdivision (d)(1)(A) of this section, the board shall cancel, by converting to a scholarship grant, the full amount of one year's loan plus accrued interest.

"(2)(A) In the event that any rural medical practice loan recipient under this subchapter does not engage in the practice of medicine in accordance with the terms of this section and of his or her loan contract in order to have the loan contract recognized as a scholarship, the recipient shall remain obligated to repay the loan or loans received, together with interest thereon, at the maximum rate allowed by Arkansas law, or the federal discount rate plus five percent (5%) per annum, whichever is the lesser, the interest to accrue from the date each payment of funds was received by the recipient.

"(B) No interest shall accrue, nor obligation to repay the principal sums accrued during any one (1) period of time that the recipient involuntarily serves on active duty in the United States armed forces.

"(C) Repayment of principal, with interest, shall be due and payable in full at the earliest to occur of the following events:

"(i) Failure, beginning with the 1995-96 school year, to remain enrolled in a medically underserved and rural practice curriculum;

"(ii) Failure to remain in enrollment status continuously to completion of the degree of Doctor of Medicine for any reason other than temporary personal illness;

"(iii) Failure to complete internship;

"(iv) Failure to practice medicine on a regularly sustained basis while residing in a rural community in Arkansas, as defined in § 6-81-701, provided however,

that the board may waive the residency requirement on a case-by-case basis; and

"(v) Failure to establish such practice within six (6) months unless otherwise deferred by approval of the board, following either internship or three (3) additional years of medical education continuously beyond his or her internship where approved by the board.

"(D) In the event of the death of the recipient, all loans unpaid shall be due and payable.

"(e) The board may amend agreements entered into with any student who is currently enrolled as a medical student or an intern or resident who has not completed his or her postdoctoral training as approved by the board pursuant to § 6-81-701 et seq."

As amended by Acts 1995, No. 1257, § 2, subdivision (d)(4)(C)(i) began: "Failure, beginning with the 1995-96 school year."

Acts 1995, No. 1257, § 4 provided: "The provisions of this act shall not apply to any person entering a Rural Medical Practice Student Loan prior to the 1995-96 school year or to any subsequent Rural Medical Practice Student Loan contracts entered into by those persons."

Publisher's Notes. Acts 1981, No. 47, § 3, authorized the board to amend agreements with any currently enrolled medical students, interns, or residents who had not completed post-doctoral training as approved by the board pursuant to the provisions of Acts 1971, No. 533, as amended by the 1981 act.

As to the effect of the 1971 and 1972 amendments upon outstanding loan obligations, see Publisher's Notes to this subchapter.

Amendments. The 2017 amendment rewrote (c).

The 2021 amendment repealed former (c)(4)(D).

CASE NOTES

Applicability.

This section was not meant to operate retrospectively. Arkansas Rural Medical

Practice Student Loan & Scholarship Bd. v. Luter, 292 Ark. 259, 729 S.W.2d 402 (1987).

6-81-709. [Repealed.]

Publisher's Notes. This section, concerning medical students; disability of minority, was repealed by Acts 2007, No.

1058, § 3. The section was derived from Acts 1949, No. 131, § 10; A.S.A. 1947, § 80-2917.

6-81-710. Funding of loans.

(a)(1) All payments for rural practice loans and community match loans under this subchapter shall be made on requisitions signed by the Chair of the Arkansas Rural Medical Practice Student Loan and Scholarship Board drawn against the funds held for the purpose of this subchapter.

(2) These funds, consisting of state appropriations so designated, revolving amounts received from repayment of loans and interest, and all funds and property and income therefrom received by the Arkansas Rural Medical Practice Student Loan and Scholarship Board under its authority to accept and apply gifts, bequests, and devises shall be held in trust and disbursed by the fiscal officers of the University of Arkansas for Medical Sciences for the aforesaid purposes.

(b) Funds collected as a result of a recipient's breach of a rural practice loan contract or community match loan contract shall be held in trust for the use of the Arkansas Rural Medical Practice Student Loan and Scholarship Program and the Community Match Rural Physician Recruitment Program, or as otherwise deemed appropriate by the Arkansas Rural Medical Practice Student Loan and Scholarship Board in its discretion, and disbursed by the fiscal officer of the University of Arkansas for Medical Sciences under this subchapter.

History. Acts 1949, No. 131, § 11; 1971, No. 133, § 8; 1971, No. 533, § 8; A.S.A. 1947, § 80-2918; Acts 1995, No. 1114, § 5; 2007, No. 1058, § 4.

Publisher's Notes. As to the effect of the 1971 and 1972 amendments upon outstanding loan obligations, see Publisher's Notes to this subchapter.

6-81-711. Annual report.

(a) The Arkansas Rural Medical Practice Student Loan and Scholarship Board shall make an annual report to the Governor concerning the activities of the board and shall file a copy of its report with the Legislative Council.

(b)(1) This report shall include:

(A) The names of the recipients of the loans;

(B) The amount of each loan;

(C) An accounting of the funds granted, on hand, and expended for necessary expenses;

(D) The total amount of funds received during the year from gifts, federal grants, bequests, and devises; and

(E) The amount of loans which, during the year, become scholarships through compliance with the conditions of the loan contracts.

(2) This report shall include the names and addresses, and amount of loans to each person, of those recipients who are in default of repayment obligations.

History. Acts 1949, No. 131, § 12; 1971, No. 133, § 9; 1971, No. 533, § 9; A.S.A. 1947, § 80-2919.

Publisher's Notes. As to the effect of the 1971 and 1972 amendments upon outstanding loan obligations, see Publisher's

Notes to this subchapter.

6-81-712, 6-81-713. [Repealed.]

Publisher's Notes. These sections, concerning nursing students' financial assistance, were repealed by Acts 1995, No. 911, § 2. The sections were derived from the following sources:

6-81-712. Acts 1973, No. 751, § 1; A.S.A. 1947, § 80-2919.1.

6-81-713. Acts 1973, No. 751, § 3; A.S.A. 1947, § 80-2919.2.

For present law, see § 6-81-1201 et seq.

6-81-714. Dispute resolution — Determination of breach.

(a) Any applicant for a loan or income incentive issued by the Arkansas Rural Medical Practice Student Loan and Scholarship Board, any person who has been granted a loan or has been granted income incentives by the board, or any party to a rural medical practice or community match loan or income incentive may appeal any decision or action by the board relating to the application for a loan or income incentive or relating to a loan or income incentive granted by the board under the dispute resolution procedure established under this subchapter.

(b)(1) The board, under § 6-81-702(b)(1), shall promulgate rules establishing a procedure that may be used by a loan or income incentive recipient, the board, or a qualified rural community to resolve any dispute arising out of or relating to a rural practice or community match loan or income incentive contract, including the validity or interpretation of a contract term, contract enforcement or defenses, the occurrence of an event of default or breach, loan repayment, the assessment or imposition of contract damages or civil money penalties, or other related disputes.

(2) The rules may provide for alternative dispute resolution, such as mediation, as appropriate.

(3) The dispute resolution procedure established by the board shall be followed before the initiation of any litigation related to a rural practice or community match loan or income incentive contract.

(c) Nothing in this subchapter shall prohibit informal disposition by stipulation, settlement, or consent.

History. Acts 1989, No. 823, § 2; 2007, No. 1058, § 4; 2009, No. 708, § 5.

6-81-715. Medical school graduates — Community match contract — Eligibility.

(a)(1) The Arkansas Rural Medical Practice Student Loan and Scholarship Board shall administer the Community Match Rural Physician Recruitment Program.

(2)(A) Interested rural communities may apply to the Arkansas Rural Medical Practice Student Loan and Scholarship Board to participate in the program as a qualified rural community.

(B) The Arkansas Rural Medical Practice Student Loan and Scholarship Board shall approve a designated representative or representatives of the qualified rural community to assist the Arkansas Rural Medical Practice Student Loan and Scholarship Board in matters relating to any community match contracts entered into by the Arkansas Rural Medical Practice Student Loan and Scholarship Board and the qualified rural community.

(b) The Arkansas Rural Medical Practice Student Loan and Scholarship Board, in conjunction with a qualified rural community, may grant community match income incentives to applicants, each incentive being expressly made subject to § 6-81-716, if it finds that:

(1) The applicant is a graduate of:

(A) The University of Arkansas College of Medicine or any accredited medical school in the United States; or

(B) A foreign medical school if the applicant:

(i) Was a resident of Arkansas and citizen of the United States prior to enrollment in the foreign medical school; and

(ii) Has been licensed by the Arkansas State Medical Board;

(2) The applicant satisfies one (1) of the following criteria:

(A) He or she is enrolled in a residency or other training program in an area of primary care medicine; or

(B) No more than two (2) years before the date of the application, he or she completed a residency or other training program in an area of primary care medicine;

(3) The applicant desires to practice medicine in the qualified rural community; and

(4) The designated representative or representatives of the qualified rural community approve the applicant.

History. Acts 1995, No. 1114, § 6; 2007, No. 1058, § 6; 2009, No. 708, § 5; 2017, No. 132, § 3.

A.C.R.C. Notes. As enacted, subdivision (b)(3) began: "The applicant, beginning with the 1995-96 school year."

As enacted, subdivision (c)(2) began: "Beginning with the 1995-96 school year."

Amendments. The 2017 amendment deleted "for community match loans" following "Eligibility" at the end of the section heading; substituted "Arkansas Rural Medical Practice Student Loan and Scholarship Board" for "board" throughout; and rewrote (b).

CASE NOTES

ANALYSIS

Defenses.

Standing.

Defenses.

In a breach of contract action by the Arkansas Rural Medical Practice Student Loan and Scholarship Board, a doctor was entitled to assert common law breach of contract defenses because §§ 6-81-715 to 6-81-717 did not reveal a clear expression

of legislative intent to deprive community-match-scholarship recipients of the ability to assert common-law claims and defenses. *Nelson v. Ark. Rural Med. Practice Loan & Scholarship Bd.*, 2011 Ark. 491, 385 S.W.3d 762 (2011).

Standing.

Doctor who had allowed his Arkansas medical license to lapse did not have standing to obtain a judgment declaring that § 17-95-409(b) did not apply to con-

tracts under the Community Match Loan and Scholarship Program, established under §§ 6-81-715 to 6-81-717, because the Declaratory Judgment Statute, § 16-111-101 et seq., was applicable only where

there was a present actual controversy. *Nelson v. Ark. Rural Med. Practice Loan & Scholarship Bd.*, 2011 Ark. 491, 385 S.W.3d 762 (2011).

6-81-716. Medical school graduates — Community match contract — Obligations and conditions.

(a)(1) The Arkansas Rural Medical Practice Student Loan and Scholarship Board and a qualified rural community shall enter a joint community match contract with the applicant.

(2) The form of the community match contract shall be approved by the Attorney General and shall be signed by the Chair of the Arkansas Rural Medical Practice Student Loan and Scholarship Board, the Secretary of the Arkansas Rural Medical Practice Student Loan and Scholarship Board, the designated representative or representatives of the qualified rural community, and the applicant.

(b) Each applicant to whom a community match income incentive is granted by the board shall execute a written contract that shall incorporate the following obligations and conditions:

(1)(A) The recipient of a community match income incentive shall bindingly contract that he or she shall practice primary care medicine full time in the contracting qualified rural community for a period of four (4) years.

(B)(i) The recipient shall receive the income incentive funds according to a disbursement schedule acceptable to the board, the qualified rural community, and the recipient as set forth in writing in the community match contract.

(ii) For each three-month period of full-time medical practice by the recipient, according to the terms of the community match contract, the board and the qualified rural community shall award one-fourth ($\frac{1}{4}$) of the income incentive for the year of service;

(2)(A) If any recipient does not begin or ceases the full-time practice of medicine in breach of the community match contract or otherwise breaches the community match contract, the recipient shall pay twenty thousand dollars (\$20,000) for each uncompleted full year of the four-year contract term, and any civil money penalties that apply.

(B) The board may impose civil money penalties of up to fifty percent (50%) of the principal amount of the income incentive under the terms of the community match contract as a consequence of breach; and

(3) Neither interest nor the obligation to repay the principal sums accrued shall accrue during any one (1) period of time that the recipient involuntarily serves on active duty in the United States Armed Forces or state active duty in the Arkansas National Guard.

(c) Subsection (b) of this section does not prohibit the board from considering and entering into a negotiated settlement with the income incentive recipient involving the terms of repayment of amounts paid under the terms of the community match contract.

(d) Community match contracts may be amended at any time before the income incentive has been paid in full or terms and conditions of the contract are satisfied.

(e) The board shall promulgate rules setting forth additional terms and conditions of community match contracts.

History. Acts 1995, No. 1114, § 6; 2003, No. 676, § 4; 2005, No. 1682, § 1; 2007, No. 1058, § 6; 2009, No. 708, § 5; 2017, No. 132, § 4; 2019, No. 462, § 1.

A.C.R.C. Notes. As enacted, subdivision (c)(2)(B)(i) began: "Failure, beginning with the 1995-96 school year."

Amendments. The 2017 amendment deleted (a)(1)(B) and redesignated (a)(1)(A) as (a)(1); deleted "or, if approved by the board, he or she shall practice a designated specialty full time in the contracting qualified rural community for a period of four (4) years" following "years" at the end of (b)(1)(A); in (b)(2)(A), inserted "community match" before the first occurrence of "contract", substituted "community match contract" for "loan contract", and substituted "pay twenty thou-

sand dollars (\$20,000) for each uncompleted full year of the four-year contract term" for "repay all unearned income paid under the terms of the contract, any actual costs paid by the community in reliance for the income-incentive-recipient's agreement to practice full time in that community"; in (b)(3), substituted "Neither interest nor the obligation to repay the principal sums accrued shall accrue during" for "No interest shall accrue, nor obligation to repay the principal sums accrued, during"; deleted (b)(4); substituted "Community match contracts" for "Community match loan contracts" in (d); and made stylistic changes.

The 2019 amendment added "or state active duty in the Arkansas National Guard" in (b)(3).

6-81-717. [Repealed.]

Publisher's Notes. This section, concerning medical school alternates; community match loan, was repealed by Acts

2007, No. 1058, § 7. The section was derived from Acts 1995, No. 1114, § 6.

6-81-718. Medical school alternates — Rural medical practice loans.

(a)(1) If an alternate on the waiting list for acceptance to the College of Medicine of the University of Arkansas for Medical Sciences demonstrates a willingness to enter into a rural medical practice loan contract and meets the requirements of § 6-81-706, the applicant shall be moved to the top of the waiting list upon entering into a rural medical practice loan contract.

(2) The priority on the waiting list for those alternates who enter into a rural medical practice loan contract shall be determined by the date and time such alternate enters into the rural medical practice loan contract.

(b) The college shall meet the requirements set forth at § 6-64-406 for allocation of enrollment positions for medical students among congressional districts before accepting for admission an alternate who has entered into a rural medical practice loan contract with the Arkansas Rural Medical Practice Student Loan and Scholarship Board.

History. Acts 1995, No. 1114, § 6; 2007, No. 1058, § 8.

6-81-719. Tracking loan contract compliance.

The College of Medicine of the University of Arkansas for Medical Sciences shall track graduates who were recipients of rural medical practice loans for the length of their contractual obligations and shall report to the Legislative Council by October 1 of each even-numbered year regarding the compliance of those graduates with the terms of their contracts.

History. Acts 1995, No. 1257, § 5.

A.C.R.C. Notes. Acts 1995, No. 1257, § 4 provided: "The provisions of this act shall not apply to any person entering a Rural Medical Practice Student Loan

prior to the 1995-96 school year or to any subsequent Rural Medical Practice Student Loan contracts entered into by those persons."

6-81-720. Rural Medical Practice Student Loan and Scholarship Program administrator.

(a) There is established a Rural Medical Practice Student Loan and Scholarship Program administrator.

(b) The administrator shall:

(1) Be employed by the University of Arkansas for Medical Sciences;

(2) Serve as liaison between loan recipients and rural communities by:

(A) Working with the communities to identify their unique needs, to develop profiles of their ideal candidates, and to prepare for recruitment visits; and

(B) Assisting medical students and residents to identify medically underserved and other rural communities that suit their personal and medical practice needs and to meet their contractual obligations;

(3) Collect and monitor program data, including demographic data of participants and communities, service completion rates, retention rates beyond service completion, satisfaction of obligated physicians and communities, and other information;

(4) Prepare annual program evaluations and present the evaluations to the Arkansas Rural Medical Practice Student Loan and Scholarship Board;

(5) Assist with preparation and submission of program reports;

(6) Attend board meetings in a nonvoting capacity; and

(7) Perform other functions assigned by the board.

History. Acts 2007, No. 1058, § 9.

6-81-721. Noninterference with pending litigation.

Nothing in this subchapter is intended to affect pending litigation existing as of April 4, 2007.

History. Acts 2007, No. 1058, § 9.

6-81-722. Sunset clause.

(a) Loan recipients enrolled in the Community Match Rural Physician Recruitment Program on or before the day before April 4, 2007, shall not have their loan contracts impaired by the amendments to the community match program.

(b)(1) Subject to the availability of funds, the loan for the academic year shall be renewable annually for the number of years required to complete studies leading to the Doctor of Medicine degree or for additional amounts not to exceed sixteen thousand five hundred dollars (\$16,500).

(2) However, all subsequent loans shall be granted only upon application by the recipient and a finding by the Arkansas Rural Medical Practice Student Loan and Scholarship Board that the applicant:

(A) Has completed successfully the medical studies of the preceding academic year and remains in good standing as an enrolled student in the college;

(B) Is enrolled or participating in a medically underserved and rural practice curriculum; and

(C) Continues to be a resident of Arkansas.

(c) This section expires on August 31, 2014.

History. Acts 2007, No. 1058, § 9.

SUBCHAPTER 8 — MINORITY TEACHER EDUCATION LOAN PROGRAM

[Repealed.]

SECTION.

6-81-801 — 6-81-810. [Repealed.]

6-81-801 — 6-81-810. [Repealed.]

Publisher's Notes. This subchapter was repealed by Acts 2001, No. 1692, § 13. The subchapter was derived from the following sources:

6-81-801. Acts 1989, No. 144, § 1.

6-81-802. Acts 1989, No. 144, § 1.

6-81-803. Acts 1989, No. 144, § 1.

6-81-804. Acts 1989, No. 144, § 1.

6-81-805. Acts 1989, No. 144, § 1.

6-81-806. Acts 1989, No. 144, § 1.

6-81-807. Acts 1989, No. 144, § 1.

6-81-808. Acts 1989, No. 144, § 1.

6-81-809. Acts 1989, No. 144, § 1.

6-81-810. Acts 1989, No. 144, § 1.

SUBCHAPTER 9 — FRESHMAN/SOPHOMORE MINORITY PROSPECTIVE TEACHER LOAN PROGRAM

[Repealed.]

SECTION.

6-81-901 — 6-81-910. [Repealed.]

6-81-901 — 6-81-910. [Repealed.]

Publisher's Notes. This subchapter was repealed by Acts 2001, No. 1692, § 14. The subchapter was derived from the following sources:

- 6-81-901. Acts 1989, No. 145, § 1.
- 6-81-902. Acts 1989, No. 145, § 1.
- 6-81-903. Acts 1989, No. 145, § 1.

- 6-81-904. Acts 1989, No. 145, § 1.
- 6-81-905. Acts 1989, No. 145, § 1.
- 6-81-906. Acts 1989, No. 145, § 1.
- 6-81-907. Acts 1989, No. 145, § 1.
- 6-81-908. Acts 1989, No. 145, § 1.
- 6-81-909. Acts 1989, No. 145, § 1.
- 6-81-910. Acts 1989, No. 145, § 1.

SUBCHAPTER 10 — GRANT PROGRAM FOR NURSE MIDWIFE STUDENTS**[Repealed.]**

SECTION.

6-81-1001 — 6-81-1006. [Repealed.]

6-81-1001 — 6-81-1006. [Repealed.]

Publisher's Notes. This subchapter was repealed by Acts 2001, No. 1692, § 5. The subchapter was derived from the following sources:

- 6-81-1001. Acts 1989, No. 240, § 2.

- 6-81-1002. Acts 1989, No. 240, § 1.
- 6-81-1003. Acts 1989, No. 240, § 6.
- 6-81-1004. Acts 1989, No. 240, § 3.
- 6-81-1005. Acts 1989, No. 240, § 4.
- 6-81-1006. Acts 1989, No. 240, § 5.

SUBCHAPTER 11 — FINANCING POSTSECONDARY OUT-OF-STATE EDUCATION

SECTION.

6-81-1101. Tuition assistance for certain professional schools — Definitions.

6-81-1102. [Repealed.]

6-81-1103. Repayment of out-of-state tuition paid by the State of Arkansas.

SECTION.

6-81-1104. Applicability.

6-81-1105. Veterinary medicine loans — Definitions.

6-81-1106. Student loan repayment — Definitions.

Cross References. Southern Regional Education Compact, § 6-4-101 et seq.

Effective Dates. Acts 1993, No. 1259, § 18: July 1, 1993. Emergency clause provided: "It is hereby found and determined by the Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1993 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1993 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an

emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1993."

Acts 1997, No. 923, § 8: July 1, 1997. Emergency clause provided: "It is found and determined by the General Assembly that there is an urgent need to change the program offering annual tuition support for Arkansas students attending out-of-state schools in dentistry, optometry, veterinary medicine, podiatry, osteopathy, and chiropractic as one providing grants instead of loans, and that in the event of an extension of the Regular session, any delay in the effective date of this act beyond July 1, 1997, could work irreparable harm upon the proper administration

tion and provision of such program. Therefore an emergency is declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997.”

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections

of this act other than the two uncodified sections of this act preceding the emergency clause titled ‘Funding and classification of cabinet-level department secretaries’ and ‘Transformation and Efficiencies Act transition team’ should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

6-81-1101. Tuition assistance for certain professional schools — Definitions.

(a) The Division of Higher Education shall institute a program of making grants for the benefit of Arkansas residents to assist in paying tuition for attending certain accredited schools of dentistry, optometry, veterinary medicine, podiatry, or chiropractic located outside the State of Arkansas but within the United States.

(b) In addition to the Southern Regional Education Compact program for which the Arkansas Higher Education Coordinating Board serves as agent for the state and for which the division serves as disbursing agent pursuant to §§ 6-4-104 — 6-4-107, the Arkansas Higher Education Coordinating Board is authorized to enter into direct contracts with selected accredited schools of dentistry, optometry, veterinary medicine, podiatry, chiropractic, or osteopathy which do not participate in the program if the Arkansas Higher Education Coordinating Board determines that the needs of the state are not being met by institutions participating in the program.

(c) For purposes of this section:

(1) “Grant” means a payment of tuition money made in accordance with this section to assist a qualified grantee in attending participating accredited schools of dentistry, optometry, veterinary medicine, podiatry, chiropractic, or osteopathy located outside the State of Arkansas;

(2) “Participating institution” or “participating school” means a professional or graduate school that:

(A) Is located outside the State of Arkansas but within the United States;

(B) Offers a full-time course of instruction in dentistry, optometry, veterinary medicine, podiatry, chiropractic, or osteopathy;

(C) Is accredited by an accrediting entity acceptable to the applicable licensing board of the profession;

(D) After completion of such course of instruction, grants a degree acceptable to the applicable licensing board as the sole requirement

or as one (1) requirement for the applicable licensing board's granting of a professional license; and

(E) Is a party to a currently effective written agreement between the participating institution and the division or the Southern Regional Education Board; and

(3) "Qualified grantee" means a student who:

(A) Is a resident of the State of Arkansas;

(B) Has been accepted for enrollment at or is attending a participating accredited school of dentistry, optometry, veterinary medicine, podiatry, osteopathy, or chiropractic located outside the State of Arkansas; and

(C) Has been certified under § 6-4-106 by the division as qualified to participate in the grant program authorized by this section and consistent with § 6-4-106.

(d)(1) For participating schools that charge different annual tuition amounts for in-state students and out-of-state students, the amount of the grant will be the difference between the in-state tuition and the out-of-state tuition. However, should the differential exceed the contract price approved for similar programs by the Southern Regional Education Board in accordance with § 6-4-105(c), the lower amount will be paid.

(2) For participating schools which charge the same amount of annual tuition for in-state and out-of-state students and such annual tuition is extraordinary as determined by the division, the amount shall not be less than five thousand dollars (\$5,000) per student.

(e)(1) The program shall be administered by the division.

(2) The grants shall be made upon such terms and conditions as are prescribed by the division.

(3) The division shall promulgate such rules as are necessary to implement the provisions of this section.

(f)(1) The division will allocate, based upon funds appropriated, the number of eligible grant recipients to receive funds at each participating institution for each applicable academic period.

(2) Each participating institution will select eligible grant recipients for each applicable academic period. In the event that the number of eligible students accepted for enrollment at such participating institution exceeds the number of eligible grant recipients for whom funds have been allocated by the division from funds appropriated, such participating institution shall have sole discretion in selecting the eligible students to designate as eligible grant recipients.

(3) The division shall make grants according to the allocations made by the division and selections made by the participating institutions. The division shall have no obligation to make any grants except to the extent that funds have been appropriated and funded for the program.

History. Acts 1993, No. 1259, § 6; 1997, No. 923, § 1; 1999, No. 1218, § 7; 2017, No. 1008, § 1; 2019, No. 315, § 396; 2019, No. 910, §§ 2032-2037.

A.C.R.C. Notes. The Board of Control for Southern Regional Education referred to in this section also uses the name "Southern Regional Education Board".

Amendments. The 2017 amendment substituted “podiatry or chiropractic” for “podiatry, chiropractic, or osteopathy” in (a).

The 2019 amendment by No. 315 deleted “and regulations” following “rules” in (e)(3).

The 2019 amendment by No. 910 substituted “Division of Higher Education”

for “Department of Higher Education” in (a); substituted “division” for “department” throughout the section; and substituted “Southern Regional Education Board” for “Board of Control for Southern Regional Education” in (c)(2)(E).

6-81-1102. [Repealed.]

Publisher’s Notes. This section, concerning deferred repayment, was repealed by Acts 1997, No. 923, § 2. The section

was derived from Acts 1993, No. 1259, § 11.

6-81-1103. Repayment of out-of-state tuition paid by the State of Arkansas.

(a) The Division of Higher Education may provide loans from the Budget Stabilization Trust Fund in excess of the Southern Regional Education Board grant funds to dental students enrolled in professional programs outside the state for whom any part of the out-of-state tuition is paid by the State of Arkansas if the tuition paid to the out-of-state institution exceeds the board-contracted rate.

(b) The amount of the loans in excess of the board grant funds may be the amount of the out-of-state tuition paid by the student, but the amount of the loan may not exceed the amount by which the tuition exceeds the rate established by the board.

(c) The loans shall be made on an annual basis not to exceed the combined total of four (4) years.

(d) The loans may be forgiven at the rate of one (1) year’s loan for one (1) year’s practice in Arkansas.

(e) Repayment of the loan may be deferred but for no longer than five (5) years, for the following reasons:

(1) Military service;

(2) Specialty training; or

(3) Extraordinary circumstances as determined by the division.

(f) The loans shall be made at a rate of interest determined by the division but not to exceed four percent (4%).

History. Acts 2003, No. 1715, § 1; Acts 2019, No. 910, §§ 2038-2040.

A.C.R.C. Notes. The Board of Control for Southern Regional Education referred to in this section also uses the name “Southern Regional Education Board”.

in (a), substituted “Division of Higher Education” for “Department of Higher Education” and “Southern Regional Education Board” for “Board of Control for Southern Regional Education”; and substituted “division” for “department” in (e)(3) and (f).

Amendments. The 2019 amendment,

RESEARCH REFERENCES

U. Ark. Little Rock L. Rev. Survey of Legislation, 2003 Arkansas General Assembly, Education Law, Loan Programs for Students, 26 U. Ark. Little Rock L. Rev. 379.

6-81-1104. Applicability.

The provisions of § 6-81-1103 shall not apply to Board of Control for Southern Regional Education grant funds.

History. Acts 2003, No. 1715, § 2.

A.C.R.C. Notes. The Board of Control for Southern Regional Education referred

to in this section also uses the name "Southern Regional Education Board".

6-81-1105. Veterinary medicine loans — Definitions.

(a) As used in this section:

(1) "Food animal" means bovine, porcine, ovine, camelid, cervid, poultry, and any other species determined by the State Veterinarian;

(2) "Food supply veterinary medicine" means all aspects of veterinary medicine's involvement in food supply systems, from traditional agricultural production to consumption;

(3) "Loan repayment" means a payment made to a recipient upon completion of yearly requirements;

(4) "Participating institution" means the College of Veterinary Medicine of Mississippi State University;

(5) "Practice of food supply veterinary medicine" means a corporate or private veterinary practice with a minimum of thirty percent (30%) of the practice devoted to food animal medicine or mixed animal medicine located in rural areas; and

(6) "Qualified recipient" means a student who:

(A) Is a resident of the State of Arkansas;

(B) Has completed a veterinarian medicine degree program at a participating institution;

(C) Is licensed to practice veterinary medicine in Arkansas; and

(D) Has been certified under § 6-4-106 by the Division of Higher Education as qualified to participate in the loan repayment program authorized by this section and consistent with § 6-4-106.

(b) The division shall institute a loan repayment program to:

(1) Benefit Arkansas residents; and

(2) Assist with the repayment of federal student loans for students that attended a participating institution and completed the requirements for loan repayment.

(c)(1) The division shall administer the program.

(2)(A) The division shall adopt rules to implement this section and address the terms and conditions of loan repayments made under this section.

(B) The terms of the loan repayment shall include without limitation:

(i) A requirement to practice food supply veterinary medicine for five (5) consecutive years; and

(ii) Conditions for loan repayment under § 6-81-1106.

(C) The loan repayment amount shall not exceed the amount of tuition assistance provided under the Southern Regional Education Compact program.

(d) The division shall:

(1) Allocate the number of qualified recipients to receive loan repayment based on the amount of funds appropriated;

(2) Determine the necessary procedures for awarding the loan repayments if the number of eligible applicants and recipients exceeds the funding available; and

(3)(A) Distribute loan repayments according to the allocations made by the division.

(B) The division shall not be obligated to make a loan repayment unless funds are appropriated.

History. Acts 2011, No. 881, § 1; 2019, No. 910, §§ 2041-2046.

Amendments. The 2019 amendment substituted "Division of Higher Educa-

tion" for "Department of Higher Education" in (a)(6)(D); and substituted "division" for "department" throughout the section.

6-81-1106. Student loan repayment — Definitions.

(a) As used in this section:

(1) "Food animal" means bovine, porcine, ovine, camelid, cervid, poultry, and any other species determined by the State Veterinarian;

(2) "Food supply veterinary medicine" means all aspects of veterinary medicine's involvement in food supply systems, from traditional agricultural production to consumption; and

(3) "Practice of food supply veterinary medicine" means a corporate or private veterinary practice with a minimum of thirty percent (30%) of the practice devoted to food animal medicine or mixed animal medicine located in rural areas.

(b) The Division of Higher Education shall repay federal student loans yearly for a maximum of five (5) consecutive years if the recipient:

(1) Practices food supply veterinary medicine in Arkansas within ninety (90) days after completion of:

(A) The professional degree program for which the loan was made;

(B) An internship program; or

(C) The professional degree program for which the loan was made and an internship program; and

(2) Maintains the practice of food supply veterinary medicine in Arkansas for a minimum of one (1) year for each year of loan repayment up to five (5) years with all five (5) years consecutive.

(c) A recipient who fails to satisfy the obligation to engage in the practice of food supply veterinary medicine for one (1) year in a five-consecutive-year period shall not receive the loan repayment amount.

(d) The obligation to engage in the practice of food supply veterinary medicine for a five-consecutive-year period shall be postponed during any:

- (1) Period of temporary medical disability if the recipient is unable to practice veterinary medicine;
- (2) Period of military service under § 6-61-112; or
- (3) Other period of postponement agreed to by the division.
- (e) The division shall adopt rules to administer this section.

History. Acts 2011, No. 881, § 1; 2019, No. 910, §§ 2047-2049.

Amendments. The 2019 amendment substituted "Division of Higher Educa-

tion" for "Department of Higher Education" in the introductory language of (b); and substituted "division" for "department" in (d)(3) and (e).

SUBCHAPTER 12 — GRADUATE NURSING PRACTICE AND NURSE EDUCATOR STUDENT LOANS AND SCHOLARSHIPS

SECTION.

6-81-1201. Definitions.

6-81-1202. Graduate Nurse Educator Loan and Scholarship Board.

6-81-1203. Graduate nursing students — Eligibility for rural advanced nursing practice and nurse educator loans.

SECTION.

6-81-1204. Graduate nursing students — Rural advanced nursing practice or nurse educator loan contracts — Obligations and conditions.

6-81-1205 — 6-81-1208. [Repealed.]

6-81-1209. Effect of subchapter.

Effective Dates. Acts 1995, No. 911, § 6: Apr. 5, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly that there is a pressing and immediate need for additional nurse practitioners in rural areas of Arkansas; that this act has as its purposes the furnishing of financial assistance to those willing to commit to rural practice. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist.

Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and

Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-81-1201. Definitions.

As used in this subchapter:

(1)(A) "Advanced nursing practice" means advanced nursing care provided in one (1) of the following areas of practice:

- (i) Family practice nursing;
- (ii) Pediatric nursing;
- (iii) Women's health nursing;
- (iv) Nurse midwifery;
- (v) Gerontology nursing;
- (vi) Adult nursing;
- (vii) Nurse anesthesia;
- (viii) Nursing administration;
- (ix) Psychiatric or mental health nursing;
- (x) Acute care nursing;
- (xi) Community or public health nursing; or
- (xii) Nursing education.

(B)(i) "Advanced nursing practice" occurs in the context of practice by a registered nurse who has:

(a) Completed a master's or doctoral nursing education program; and

(b) Met the requirements for:

- (1) National certification;
- (2) Teaching in an Arkansas-accredited school of nursing; and
- (3) Serving as a nurse administrator in an Arkansas complex healthcare agency.

(ii) "Advanced practice nursing" includes the roles of:

- (a) Clinical nurse specialist;
- (b) Nurse practitioner;
- (c) Nurse administrator;
- (d) Nurse educator;
- (e) Nurse midwife; and
- (f) Nurse anesthetist;

(2) "Arkansas school of nursing" means any school or school's department of nursing located in Arkansas;

(3) "Board" means the Graduate Nurse Educator Loan and Scholarship Board;

(4) "Complex Arkansas healthcare agency" means any hospital, long-term-care facility, large hospital-based clinic, large medical practice, or the Department of Health;

(5) "Department of Health" means the Department of Health and any of Arkansas's public health units;

(6) "Master's or doctoral nursing education program" means an Arkansas nursing education program located in an Arkansas public or private institution of higher education that has a master's or doctoral nursing program accredited by a recognized national nursing accreditation organization or a doctor of philosophy in nursing program accredited by the North Central Association of Colleges and Schools;

(7) "Nurse administrator" means a student enrolled in an Arkansas master's nursing education program or doctoral program who will serve as a nurse administrator in an Arkansas healthcare agency, including, but not limited to:

- (A) A hospital;
- (B) A long-term-care facility;
- (C) A large hospital-owned clinic; or
- (D) A large medical clinic;

(8) "Nurse educator" means a student enrolled in an Arkansas master's nursing education program or doctoral nursing education program who will prepare to teach nursing in an Arkansas school of nursing; and

(9) "Rural community" means a community within a health professions shortage area, as determined by the board, or a community having a population of no more than fifteen thousand (15,000) persons according to the most recent federal census taken prior to the execution of the loan contract or the most recent federal census taken prior to the time the recipient of the loan or loans shall be required to practice full time in such a community as provided in § 6-81-1204 and § 6-81-1206 [repealed].

History. Acts 1995, No. 911, § 1; 1999, No. 1311, § 1; 2001, No. 787, § 1; 2005, No. 1468, § 1; 2017, No. 753, § 1. **Amendments.** The 2017 amendment inserted "or doctoral" in (6).

6-81-1202. Graduate Nurse Educator Loan and Scholarship Board.

(a) There is established the Graduate Nurse Educator Loan and Scholarship Board composed of:

(1) The dean, chair, or director of each of the accredited graduate nursing programs in the state that offers a nurse practitioner/clinical nurse specialist, nurse midwife, nurse anesthetist, or nursing administration graduate preparation or preparation for nurse educators at the master's or doctoral levels;

(2) The President of the Council of Nurse Administrators of Nursing Education Programs in Arkansas;

(3) The President of the Arkansas State Board of Nursing or the president's designee;

(4) The Secretary of the Department of Health or the secretary's designee; and

(5) One (1) consumer, to be appointed by the Governor.

(b) The board shall:

(1) Promulgate reasonable rules as may be necessary to execute the provisions of this subchapter, including rules addressing:

(A) The requirements for ensuring a pool of advanced nursing practitioners to serve the state with a priority on health professions shortage areas;

(B) The requirements for an Arkansas school of nursing;

(C) The requirements for a community having a population of no more than fifteen thousand (15,000) persons according to the most recent census;

(D) The requirements of the Department of Health;

(E) The establishment of a minimum scholastic standing which a baccalaureate or master's nursing graduate must have achieved and the academic or scholastic standing a student must maintain in an accredited school of nursing in this state as a condition of receiving scholarship funds or financial aid under the provisions of § 6-81-1208 [repealed];

(F) The establishment of standards for a determination of the financial needs of the applicant for scholarship funds or financial aid under § 6-81-1208 [repealed], including the ability of the applicant or the spouse or the parents or guardian of the applicant to furnish a part of the funds necessary to pay the expenses of the applicant while attending a school of nursing; and

(G) All matters relating directly to the agreement for providing these scholarship funds or financial aid, including the terms and conditions of providing financial aid to the student and relating to the obligation of the recipient of financial aid to engage in the nursing profession in a rural community or as a nurse educator in an Arkansas school of nursing;

(2) Prescribe forms for and regulate the submission of applications for financial assistance;

(3) Determine eligibility of applicants;

(4) Allow or disallow applications for financial assistance;

(5) Contract, increase, decrease, terminate, and otherwise regulate all grants for this purpose and receipt for their repayment and convert loans to scholarships;

(6) Manage, operate, and control all funds and property appropriated or otherwise contributed for this purpose;

(7) Accept gifts, grants, and bequests or devises and apply them as a part of this program;

(8) Sue and be sued as the board; and

(9) Accept moneys from federal programs which may be used for furtherance of the purposes of this subchapter.

(c) The members of the board may receive expense reimbursement in accordance with § 25-16-901 et seq.

History. Acts 1995, No. 911, § 1; 1997, No. 250, § 41; 1999, No. 1311, § 2; 2001, No. 787, § 2; 2005, No. 1468, § 2; 2019, No. 315, § 397; 2019, No. 910, § 4853.

Amendments. The 2019 amendment by No. 315, in the introductory language of (b)(1), deleted "and regulations" following the first occurrence of "rules", and

substituted the second occurrence of “rules” for “regulations”.

The 2019 amendment by No. 910 substituted “Secretary” for “Director” and “secretary’s” for “director’s” in (a)(4).

6-81-1203. Graduate nursing students — Eligibility for rural advanced nursing practice and nurse educator loans.

(a) The Graduate Nurse Educator Loan and Scholarship Board may make advanced nursing practice or nurse educator loans to an applicant, each advanced nursing practice or nurse educator loan being expressly made subject to the provisions of § 6-81-1204 if it finds that:

- (1) The applicant is a bona fide resident of Arkansas;
- (2) The applicant has been accepted for admission to or is enrolled in good standing in an accredited master’s or doctoral nursing program or doctor of philosophy in nursing program in the state leading to a graduate degree in nursing;
- (3) The applicant is or will be a full-time or a part-time graduate student;
- (4) The applicant needs financial assistance to complete his or her nursing studies;
- (5) The applicant desires to practice advanced nursing practice in an Arkansas community or teach nursing in an Arkansas school of nursing; and
- (6) The applicant is a person of good moral character and one who has the talent and capacity to profit by graduate nursing studies.

(b)(1) Subject to the availability of funds, an initial rural advanced nursing practice or nurse educator loan for one (1) academic year shall be renewable annually for the number of years required to complete studies leading to a master’s in nursing or doctor of philosophy in nursing degree, not to exceed the maximum amount specified in § 6-81-1204.

(2) All subsequent rural advanced nursing practice or nurse educator loans shall be granted only upon application by the recipient and a finding by the board that:

- (A) The applicant has completed successfully the advanced nursing studies of the preceding academic year and remains in good standing as an enrolled student in an accredited master’s program or a doctor of philosophy in nursing program in the state;
- (B) The applicant continues to be a resident of Arkansas; and
- (C) The applicant’s financial situation continues to warrant financial assistance made under the conditions of this section.

History. Acts 1995, No. 911, § 1; 1999, § 3, did not accurately engross the No. 1311, § 3; 2001, No. 787, § 3; 2005, amendments to § 6-81-1203(a)(2). The No. 1468, § 3; 2017, No. 753, § 2. changes in subdivision (a)(2) set out above

Publisher’s Notes. Acts 2001, No. 787, reflect the legislative intent of Acts 2001,

No. 787, § 3.

Amendments. The 2017 amendment inserted "or doctoral" in (a)(2).

6-81-1204. Graduate nursing students — Rural advanced nursing practice or nurse educator loan contracts — Obligations and conditions.

(a)(1)(A) The maximum amount of each master's rural advanced nursing practice or nurse educator loan for full-time applicants shall not exceed eight thousand dollars (\$8,000) per academic year.

(B) The maximum amount of each Doctor of Philosophy in nursing loan for full-time applicants shall not exceed twenty thousand dollars (\$20,000) per academic year.

(C) Loans for part-time applicants shall be prorated as determined by the Graduate Nurse Educator Loan and Scholarship Board.

(2)(A) The maximum number of years a master's recipient may receive funding shall not exceed two (2) years or four (4) regular academic semesters of full-time enrollment or four (4) years or eight (8) regular academic semesters of part-time enrollment.

(B) The maximum number of years a doctoral recipient may receive funding shall not exceed four (4) years or eight (8) regular academic semesters of full-time enrollment or six (6) years or twelve (12) regular academic semesters of part-time enrollment.

(b)(1) The board shall enter a loan contract with the applicant to whom a rural advanced nursing practice or nurse educator loan is made.

(2) The rural advanced nursing practice or nurse educator loan contract shall be approved by the Attorney General and shall be signed by the Chair of the Graduate Nurse Educator Loan and Scholarship Board and the applicant.

(c) Each applicant to whom an advanced nursing practice or nurse educator loan or loans is granted by the board shall execute a written loan contract which shall incorporate the following obligations and conditions:

(1)(A)(i) The recipient of an advanced nursing practice or nurse educator loan or loans shall bindingly contract that, upon completion of his or her graduate degree in nursing and upon national certification as a nurse practitioner, nurse anesthetist, nurse midwife, clinical nurse specialist, or nursing supervisor in the case of recipients of advanced nursing practice loans, he or she shall practice as an advanced nursing practitioner full time in an Arkansas rural community or the Department of Health.

(ii) In the case of the nurse educator recipient, he or she shall teach full time during the academic year in an Arkansas school of nursing or as a nurse administrator or work as a nursing administrator in an Arkansas complex healthcare agency for one (1) year.

(B) For each continuous whole calendar year of advanced nursing or academic calendar year for teaching or calendar year for nursing administration in accordance with subdivision (c)(1)(A) of this sec-

tion, the board shall cancel, by converting to a scholarship grant, the full amount of one (1) year's loan, plus accrued interest; and

(2)(A) In the event that any advanced nursing practice or nurse educator loan recipient under this subchapter does not engage in the practice of advanced nursing practice, teach in an Arkansas school of nursing, or serve as a nursing administrator in an Arkansas complex healthcare agency in accordance with the terms of this section and of his or her loan contract in order to have the loan contract recognized as a scholarship, the recipient shall remain obligated to repay the loan or loans received together with interest thereon at the maximum rate allowed by Arkansas law or the federal discount rate plus five percent (5%) per annum, whichever is the lesser, the interest to accrue from the date each payment of funds was received by the recipient.

(B) No interest shall accrue nor obligation to repay the principal sums accrued during any period of time that the recipient involuntarily serves on active duty in the United States Armed Forces or state active duty in the Arkansas National Guard.

(C) Repayment of principal with interest shall be due and payable in full at the earliest to occur of the following events:

(i) Failure to remain enrolled continuously and in good academic standing to completion of a graduate nursing degree for any reason other than temporary personal illness;

(ii)(a) Failure to practice as an advanced nursing practitioner on a regularly sustained basis while residing in an Arkansas community or working in a Department of Public Health unit, as defined in § 6-81-1201, or failure to serve as a nursing faculty member in an Arkansas school of nursing or serve as a nursing administrator in an Arkansas complex healthcare agency.

(b) However, the board may waive the residency requirement on a case-by-case basis; or

(iii) Failure to establish an advanced nursing practice within six (6) months following graduation from an accredited graduate nursing program or within six (6) months after receiving national certification, whichever is later, or failure to assume a nurse faculty position in an Arkansas school of nursing or to assume a nursing administrator position in an Arkansas complex healthcare agency within six (6) months following graduation unless otherwise deferred by approval of the board.

(D) In the event of the death of the recipient, all loans unpaid shall be due and payable.

(d) The board may amend agreements entered into with any student who is currently enrolled as a graduate nursing student as approved by the board pursuant to this section.

History. Acts 1995, No. 911, § 1; 1999, No. 1311, § 4; 2001, No. 787, § 4; 2005, No. 1468, § 4; 2019, No. 462, § 2.

Amendments. The 2019 amendment added "or state active duty in the Arkansas National Guard" in (c)(2)(B).

6-81-1205 — 6-81-1208. [Repealed.]

Publisher's Notes. These sections, concerning the advanced nursing student loans, were repealed by Acts 2001, No. 787, § 5. The sections were derived from the following sources:

6-81-1205. Acts 1995, No. 911, § 1.
6-81-1206. Acts 1995, No. 911, § 1.
6-81-1207. Acts 1995, No. 911, § 1.
6-81-1208. Acts 1995, No. 911, § 1.

6-81-1209. Effect of subchapter.

Nothing in this subchapter shall be construed as establishing minimal requirements for schools of nursing or otherwise affecting the powers and duties of the Arkansas State Board of Nursing regarding schools of nursing.

History. Acts 1999, No. 1311, § 5;
2001, No. 787, § 6.

**SUBCHAPTER 13 — UNIVERSITY ASSISTED TEACHER RECRUITMENT AND
RETENTION GRANT PROGRAM**

SECTION.

6-81-1301. Program established — Purpose — Administration.

Effective Dates. Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled 'Funding and

classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-81-1301. Program established — Purpose — Administration.

(a) There is established the University Assisted Teacher Recruitment and Retention Grant Program within the Division of Higher Education.

(b) The purpose of the program shall be to attract qualified teachers to the Mississippi Delta and those geographical areas of the state where there exists a critical shortage of teachers by making available scholarships to persons working toward a Master of Education degree at an institution of higher education whose teacher education program is approved by the Arkansas Higher Education Coordinating Board.

(c)(1) Any institution of higher education in the State of Arkansas which offers a Master of Education degree may apply to the Division of Higher Education for participation in the program.

(2) Under the program, participating institutions shall collaborate with the Division of Elementary and Secondary Education to identify, recruit, and place teacher education graduates, from both within the state and out of state, in school districts situated within those areas of the state where there exists a critical shortage of teachers, as designated by the Division of Elementary and Secondary Education.

(d)(1) The Division of Higher Education shall provide funds to participating institutions of higher education for the purpose of awarding scholarships to qualified persons pursuing a Master of Education degree at participating institutions while rendering service to the state as a licensed teacher in a school district in a geographical area of the state where there exists a critical shortage of teachers, as approved by the State Board of Education.

(2) The financial scholarship shall be two thousand dollars (\$2,000) per year.

(e) As a condition for approval to participate in the program, the institution of higher education shall agree to classify teachers who relocate within Arkansas from out of state in order to participate in the program as residents of the state for tuition purposes.

(f)(1) Students awarded financial scholarships under the program may receive the awards for a maximum of four (4) school years.

(2) The maximum number of awards which may be made shall not exceed the length of time required to complete the number of academic hours necessary to obtain a Master of Education degree.

(g) Financial scholarships under the program shall not be based upon an applicant's eligibility for financial aid.

(h)(1) Persons relocating to a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, to participate in the program shall be eligible for reimbursement from the State Board of Education for all or part of their moving expenses to the critical teacher-shortage area.

(2) The Division of Higher Education shall promulgate rules necessary for the administration of the relocation expense reimbursement component of the program.

(i) Subject to the availability of funds, the State Board of Education may provide for professional development and support services as may be necessary for the retention of teachers participating in the program in those geographical areas of the state where there exists a critical shortage of teachers.

(j) Any person participating in the program who fails to complete a program of study that will enable that person to obtain a Master of Education degree shall become liable immediately to the State Board of Education for the sum of all awards made to that person under the program, plus interest accruing at the current Stafford Loan rate at the time the person abrogates participation in the program.

(k) As a condition for participation in the program, a teacher shall agree to employment as a licensed teacher in a school district located in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, for a period of not less than three (3) years, which shall include those years of service rendered while obtaining the Master of Education degree or Educational Specialist degree.

(1)(1)(A) Students receiving an award from the program shall execute a note made payable to the Division of Higher Education for an amount equal to the award each semester that shall bear interest at the rate of ten percent (10%) per year beginning September 1 after completion of the program or immediately after termination of the student's participation in the program, whichever is earlier.

(B) Students in the program who receive reimbursement for moving expenses under subsection (h) of this section shall execute a note made payable to the Division of Elementary and Secondary Education for an amount equal to the reimbursement that shall bear interest at the rate of ten percent (10%) per year.

(2) Any person failing to complete a program of study which will enable the person to become a licensed teacher shall begin repaying the note according to the note's terms for the sum of all awards made to that person less the corresponding amount of any awards for which service has been rendered.

(3) Any person failing to complete his or her teaching obligation, as required under subsection (k) of this section, shall begin repaying the notes according to the notes' terms for the sum of all awards made to that person less the corresponding amount of any awards for which service has been rendered, except in the case of a deferral of debt for cause approved by the State Board of Education if there is no employment position immediately available upon a teacher's completion of licensure requirements.

(4) After the period of the deferral, the person shall begin or resume teaching duties as required under subsection (k) of this section or shall become liable on the note under this subsection. If a claim for payment of a note is placed into the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(5) The obligations made by the recipient of a program award shall not be voidable by reason of the age of the student at the time of receiving the scholarship.

(m) All funds received by the Division of Elementary and Secondary Education from the repayment of scholarship awards and relocation expenses by program participants shall be deposited into the fund that provides funding for the program.

(n) The Division of Higher Education shall promulgate rules necessary for the proper administration of the program.

(o) The requirements of this section are contingent on the funding available for the program.

(p) The Division of Higher Education is authorized to determine the necessary procedures for the awarding of grants should the number of eligible applicants and recipients exceed the funds available.

History. Acts 2001, No. 1550, § 1; 2019, No. 315, § 398; 2019, No. 910, §§ 2050-2055.

Amendments. The 2019 amendment by No. 315 deleted “and regulations” following “rules” in (h)(2).

The 2019 amendment by No. 910 substituted “Division of Higher Education” for “Department of Higher Education” and “Division of Elementary and Secondary Education” for “Department of Education” throughout the section.

SUBCHAPTER 14 — NURSING STUDENT LOAN PROGRAM

SECTION.

6-81-1401. Nursing Student Loan Program funding.

6-81-1402. Program established — Administration.

6-81-1403. Arkansas State Board of Nursing — Powers and duties.

6-81-1404. Eligibility and requirements for loans.

6-81-1405. Amount of loans — Maximum.

SECTION.

6-81-1406. Term of loans.

6-81-1407. Renewal.

6-81-1408. Written contract required.

6-81-1409. Cancellation of principal and interest.

6-81-1410. Borrower's loss of good standing — Acceleration of due date.

6-81-1411. Repayment — Interest.

6-81-1412. Rules.

Effective Dates. Acts 2003, No. 84, § 14: Feb. 10, 2003. Emergency clause provided: “It is found and determined by the General Assembly, that to provide funds for Nursing Student Scholarships to help alleviate the nursing shortage crises and provide a mechanism for existing funds to be used to educate competent Nurses are necessary; that Nurses provide critical services to the citizens of the State and the shortage of qualified Nurses can cause irreparable damage to the community. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation, health and safety for the citizens of Arkansas and shall be in full force and effect from and after the date of its passage and approval. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.”

Acts 2009, No. 9, § 11: Feb. 3, 2009. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the state has

a severe shortage of nurses and nurse educators, that for financial and other reasons the state often has difficulty retaining state-educated nurses and nurse educators after graduation for the state's workforce, and that this act is immediately necessary to provide financial incentives to increase the number of nurses and nurse educators in the state for the protection of the public health, safety, and welfare. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

Acts 2021, No. 769, § 60: July 1, 2021. Emergency clause provided: “It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2021 is essential to the operation of the

agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2021 could work irreparable harm upon the proper administration and provision of essential gov-

ernmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2021.”

6-81-1401. Nursing Student Loan Program funding.

(a) Cash funds for the Nursing Student Loan Program shall consist of:

- (1) Funds appropriated for the Nursing Student Loan Program;
- (2) Federal funds;
- (3) Gifts;
- (4) Grants;
- (5) Bequests;
- (6) Devises;
- (7) Donations;
- (8) Moneys received to repay a loan under this subchapter;
- (9) Interest and other income accruing to or earned by the funds; and
- (10) All moneys provided by law.

(b) The Arkansas State Board of Nursing:

- (1) May invest the principal, interest, and income of the funds;
- (2) Shall use the funds for making loans for nursing scholarships;

and

(3) Shall deposit all loan repayments as a refund to expenditure to be used to make additional loans under this subchapter.

History. Acts 2003, No. 84, § 2; 2009, No. 9, § 1.

RESEARCH REFERENCES

U. Ark. Little Rock L. Rev. Survey of Legislation, 2003 Arkansas General Assembly, Education Law, Loan Programs for Students, 26 U. Ark. Little Rock L. Rev. 379.

6-81-1402. Program established — Administration.

There is established a Nursing Student Loan Program, to be administered by the Arkansas State Board of Nursing in accordance with the provisions of this subchapter.

History. Acts 2003, No. 84, § 3.

6-81-1403. Arkansas State Board of Nursing — Powers and duties.

(a) The Arkansas State Board of Nursing shall:

- (1) Prescribe forms to be used in the Nursing Student Loan Program;

- (2) Regulate the submission of applications for loans;
- (3) Determine eligibility of applicants;
- (4) Allow or disallow applications for financial assistance;
- (5) Contract for, increase, decrease, terminate, and otherwise regulate all loans made under this subchapter and the repayment of these loans;
- (6) Forgive loans and portions of loans as provided for; and
- (7) Manage, operate, and control all funds and property appropriated or otherwise contributed for purposes of funding this program.

(b) The board may:

(1) Accept gifts, grants, bequests, devises, donations, and any federal funds available for the program, to be used together with funds appropriated for the program for making loans under this subchapter; and

(2) Hire a qualified person or entity to administer any aspect of the program.

History. Acts 2003, No. 84, § 5; 2009, No. 9, § 2.

6-81-1404. Eligibility and requirements for loans.

(a) Any person who is enrolled in or has been accepted for admission to an approved school of nursing in this state or a nationally accredited school outside the state in a course of study leading to qualification as a registered nurse, licensed practical nurse, or nursing educator shall be eligible to make application to the Arkansas State Board of Nursing for a loan under this subchapter.

(b) The board may, depending upon available funds, make a loan to an applicant under this subchapter when it determines that the applicant:

(1) Is enrolled in or has been accepted for admission to an approved school of nursing in this state or a nationally accredited school outside the state in studies leading to qualification as a registered nurse, licensed practical nurse, or nursing educator;

(2) Warrants financial assistance to complete his or her nursing studies;

(3) Has signed a written agreement to:

(A) Upon graduation and licensure and for the period of time specified by rule promulgated by the board:

(i) Teach in a nursing education program in the State of Arkansas; or

(ii) Engage in practice as a registered nurse or licensed practical nurse in the State of Arkansas; and

(B) Repay each loan with interest at the maximum legal rate if the applicant fails to fulfill the requirements of the board under this subchapter; and

(4) Is a lawful resident of the State of Arkansas.

History. Acts 2003, No. 84, § 6; 2009, No. 9, § 3.

6-81-1405. Amount of loans — Maximum.

(a) The Arkansas State Board of Nursing may make a loan to any applicant in an amount calculated to pay the applicant's tuition, maintenance, and other education expenses while he or she is enrolled in a program of nursing education as described in this subchapter.

(b) The total of the loans made to any one (1) student under this subchapter shall not exceed forty thousand dollars (\$40,000).

History. Acts 2003, No. 84, § 8; 2009, substituted "forty thousand dollars (\$40,000)" for "twenty thousand dollars

Amendments. The 2021 amendment (\$20,000)" in (b).

6-81-1406. Term of loans.

Each loan made to an applicant under this subchapter shall be for one (1) academic year.

History. Acts 2003, No. 84, § 9.

6-81-1407. Renewal.

(a) Subject to the availability of funds, each loan made to an applicant under this subchapter shall be renewable annually for the number of years required to complete studies leading to qualification as a registered nurse, licensed practical nurse, or nursing educator.

(b) Any loan made to an applicant subsequent to an initial loan shall be made only upon application of the recipient and upon finding by the Arkansas State Board of Nursing that the applicant:

(1) Has successfully completed the nursing studies of the preceding academic year and remains in good standing as an enrolled student in the appropriate school of nursing;

(2) Warrants financial assistance to complete his or her nursing studies;

(3) Has signed a written agreement to:

(A) Upon graduation and licensure and for the period of time specified by rule promulgated by the board:

(i) Teach in a nursing education program in the State of Arkansas; or

(ii) Engage in practice as a registered nurse or licensed practical nurse in the State of Arkansas; and

(B) Repay each loan with interest at the maximum legal rate if the applicant fails to fulfill the requirements of the board under this subchapter; and

(4) Continues to be a lawful resident of the State of Arkansas.

History. Acts 2003, No. 84, § 10; 2009, No. 9, § 5.

6-81-1408. Written contract required.

Each recipient of a loan under the provisions of this subchapter shall execute a written loan contract with the Arkansas State Board of Nursing for the repayment of the loan under such terms as are provided in this subchapter and as the board shall prescribe.

History. Acts 2003, No. 84, § 7.

6-81-1409. Cancellation of principal and interest.

Each loan contract shall include a provision that if the recipient completes his or her nursing education and qualification as a registered nurse, licensed practical nurse, or nursing educator, the Arkansas State Board of Nursing shall cancel the full amount of one (1) year's loan, plus accrued interest, under this subchapter for each year that the recipient practices or teaches in this state.

History. Acts 2003, No. 84, § 11; 2009, No. 9, § 6.

6-81-1410. Borrower's loss of good standing — Acceleration of due date.

If the recipient of a loan under this subchapter ceases to be enrolled in good standing in a recognized school of nursing before completing the education requirements to qualify as a registered nurse, licensed practical nurse, or nursing educator, the principal and interest of all loans made under this subchapter to the recipient shall become due and payable immediately or as provided in the loan agreement.

History. Acts 2003, No. 84, § 13; 2009, No. 9, § 7.

6-81-1411. Repayment — Interest.

(a) A recipient of a loan under this subchapter shall repay each loan together with interest at the maximum rate allowed by Arkansas law if the recipient:

(1) Ceases to be enrolled in good standing in a recognized school of nursing before completing the education requirements to qualify as a registered nurse, licensed practical nurse, or nursing educator;

(2) For the period specified by rule of the Arkansas State Board of Nursing upon completion of the education requirements to qualify as a registered nurse, licensed practical nurse, or nursing educator does not:

(A) Teach in a nursing education program in the State of Arkansas;

or

(B) Engage in practice as a registered nurse or licensed practical nurse in the State of Arkansas; or

(3) Fails to comply with any other requirement of this subchapter.

(b) Interest shall accrue from the date each payment of funds was received by the recipient.

(c) No interest shall accrue and no obligation to repay a loan exists during any period of time that the recipient of the loan serves on active duty in the United States Armed Forces or state active duty in the Arkansas National Guard.

(d) If repayment of a loan is required, upon the death of the recipient of the loan all unpaid principal and interest is due and payable.

(e) The failure to repay a loan as specified in this section may be considered unprofessional conduct for disciplinary purposes.

History. Acts 2003, No. 84, § 12; 2009, No. 9, § 8; 2019, No. 462, § 3. added “or state active duty in the Arkansas National Guard” in (c).

Amendments. The 2019 amendment

6-81-1412. Rules.

The Arkansas State Board of Nursing shall adopt reasonable rules consistent with this subchapter to effectively and efficiently carry out the purposes of this subchapter.

History. Acts 2003, No. 84, § 4; 2009, No. 9, § 9.

SUBCHAPTER 15 — STATE TEACHER ASSISTANCE RESOURCE PROGRAM
[Repealed.]

SECTION.
6-81-1501 — 6-81-1507. [Repealed.]

6-81-1501 — 6-81-1507. [Repealed.]

Publisher’s Notes. This subchapter was repealed by Acts 2009, No. 1215, § 2. The subchapter was derived from the following sources:	6-81-1504. Acts 2003, No. 1804, § 2; 2003 (2nd Ex. Sess.), No. 48, §§ 2, 3.
6-81-1501. Acts 2003, No. 1804, § 2.	6-81-1505. Acts 2003, No. 1804, § 2; 2003 (2nd Ex. Sess.), No. 48, § 4.
6-81-1502. Acts 2003, No. 1804, § 2; 2003 (2nd Ex. Sess.), No. 48, § 1.	6-81-1506. Acts 2003, No. 1804, § 2; 2003 (2nd Ex. Sess.), No. 48, § 5.
6-81-1503. Acts 2003, No. 1804, § 2.	6-81-1507. Acts 2003, No. 1804, § 2.

SUBCHAPTER 16 — STATE TEACHER EDUCATION PROGRAM

SECTION.	SECTION.
6-81-1601. Title.	6-81-1604. Administration of program.
6-81-1602. Definitions.	6-81-1605. Eligibility.
6-81-1603. Purpose.	6-81-1606. Duration — Amount.

Effective Dates. Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two

uncodified sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of

the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-81-1601. Title.

This subchapter shall be known as the "State Teacher Education Program".

History. Acts 2009, No. 1215, § 3.

6-81-1602. Definitions.

As used in this subchapter:

(1) "Approved institution" means a state-supported institution of higher education, a nursing school, or a private nonprofit institution of higher education that:

(A) Maintains its primary headquarters in the state;

(B) Is eligible to receive Title IV federal student aid program funds; and

(C) Is approved by the Division of Higher Education as eligible to participate in the State Teacher Education Program;

(2) "Eligible student" means a student who:

(A) Meets the criteria set out in this subchapter; and

(B) Is found to be eligible by rules promulgated by the Division of Higher Education; and

(3) "Teacher education program" means a program administered by the Division of Higher Education that provides loan repayments to a licensed teacher who teaches in a subject area or a geographic area with teacher shortage as determined by the Division of Higher Education in consultation with the Division of Elementary and Secondary Education.

History. Acts 2009, No. 1215, § 3; 2019, No. 910, § 2056.

Amendments. The 2019 amendment substituted "Division of Higher Education" for "Department of Higher Educa-

tion" throughout the section; and substituted "Division of Elementary and Secondary Education" for "Department of Education" in (3).

6-81-1603. Purpose.

The purpose of the State Teacher Education Program is to improve the educational system in the state by encouraging students to teach in subject areas and geographic areas with teacher shortages.

History. Acts 2009, No. 1215, § 3.

6-81-1604. Administration of program.

(a) The State Teacher Education Program shall be administered by the Division of Higher Education.

(b) The division shall adopt standards for awarding the loan repayments to a public school teacher with an Arkansas teacher's license teaching in a:

- (1) Subject area with a teacher shortage; or
- (2) Geographic area with teacher shortage.

(c) The requirements of this subchapter are contingent on the funding available for the program.

(d) The division may determine the necessary procedures for awarding the loan repayments if the number of eligible applicants and recipients exceeds available funding.

History. Acts 2009, No. 1215, § 3; 2019, No. 910, § 2057.

Amendments. The 2019 amendment substituted "Division of Higher Educa-

tion" for "Department of Higher Education" in (a); and substituted "division" for "department" in the introductory language of (b) and in (d).

6-81-1605. Eligibility.

To be eligible for the State Teacher Education Program, an applicant shall:

(1) Teach full-time at a public school district in a subject area or geographic area with a teacher shortage, as identified by the Division of Higher Education in consultation with the Division of Elementary and Secondary Education;

(2) Hold a valid Arkansas teacher's license; and

(3)(A) Meet additional continuing eligibility criteria established by the Division of Higher Education.

(B) An individual who has earned a teaching license upon the successful completion of an alternative educator preparation program is an eligible student under this section.

History. Acts 2009, No. 1215, § 3; 2019, No. 603, § 1; 2019, No. 910, § 2058.

Amendments. The 2019 amendment by No. 603 added the (3)(A) designation and added (3)(B).

The 2019 amendment by No. 910 substituted "Division of Higher Education"

for "Department of Higher Education" in (1) and (3); and substituted "Division of Elementary and Secondary Education" for "Department of Education" in (1).

6-81-1606. Duration — Amount.

(a) The State Teacher Education Program shall be used to provide a loan repayment for federal student loans in the amount of:

(1) Three thousand dollars (\$3,000) per year for a maximum of three (3) years for a licensed teacher who graduated from a teacher education program after April 2004 and teaches in a public school in this state or successfully completed an alternative educator preparation program

after April 2004 and teaches in a public school in the State Teacher Education Program:

(A) In a subject area designated by the Division of Higher Education in consultation with the Division of Elementary and Secondary Education as having a critical shortage of teachers; or

(B) Located in a geographical area of the state designated by the Division of Higher Education in consultation with the Division of Elementary and Secondary Education as having a critical shortage of teachers; and

(2) An additional one thousand dollars (\$1,000) per year for a maximum of three (3) years for a licensed teacher who:

(A) Is a minority;

(B) Either:

(i) Graduated from a teacher education program after April 2004; or

(ii) Successfully completed an alternative educator preparation program; and

(C) Teaches in a public school in this state.

(b) The Division of Higher Education may spend no more than fifty thousand dollars (\$50,000) annually for costs associated with the administration of the State Teacher Education Program.

(c) The Division of Higher Education shall promulgate rules necessary for the implementation of this subchapter.

History. Acts 2009, No. 1215, § 3; 2019, No. 603, § 2; 2019, No. 910, § 2059.

Amendments. The 2019 amendment by No. 603 added “or successfully completed an alternative educator preparation program after April 2004 and teaches in a public school in this state program” in (a)(1); and rewrote (a)(2).

The 2019 amendment by No. 910 substituted “Division of Higher Education” for “Department of Higher Education” and “Division of Elementary and Secondary Education” for “Department of Education” throughout the section.

SUBCHAPTER 17 — TEACHER CANDIDATE LOAN FORGIVENESS PROGRAM

SECTION.

6-81-1701. Establishment — Administration.

6-81-1702. Eligibility — Loan amounts — Term.

6-81-1703. Loan amounts — Term — Renewal.

SECTION.

6-81-1704. Loan contract — Forgiveness.

6-81-1705. Repayment — Deferment.

6-81-1706. Rules.

Effective Dates. Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and

operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled ‘Funding and classification of cabinet-level department secretaries’ and ‘Transformation and Efficiencies Act transition team’ should become effective at the beginning of the

fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

6-81-1701. Establishment — Administration.

There is established a Teacher Candidate Loan Forgiveness Program to be administered by the Division of Higher Education.

History. Acts 2017, No. 709, § 1; 2019, No. 910, § 2060. substituted “Division of Higher Education” for “Department of Higher Education”.
Amendments. The 2019 amendment

6-81-1702. Eligibility — Loan amounts — Term.

(a) An individual is eligible for a loan under this subchapter to be used for financing the individual’s cost of attendance at an institution of higher education if the individual:

- (1) Is a lawful resident of the State of Arkansas;
- (2) Has successfully completed his or her sophomore year at an institution of higher education;
- (3) Is enrolled in good standing at an institution of higher education in this state as a full-time junior or senior, as determined by the institution of higher education;
- (4) Is majoring in a degree program that will lead to the individual’s becoming eligible for licensure as a teacher in a high-needs subject area as identified by the Division of Elementary and Secondary Education; and
- (5) Has entered into a written agreement with the Division of Higher Education to:

(A) Teach for five (5) consecutive years in a school or school district located in a geographic area identified by the Division of Elementary and Secondary Education under § 6-15-403 [repealed] as a critical teacher shortage area beginning immediately upon obtaining licensure; and

(B) Repay each loan at an interest rate and on a schedule as determined by the Division of Higher Education if the individual fails to meet the requirements under this subchapter.

(b) If the amount of funds available for the Teacher Candidate Loan Forgiveness Program is insufficient to award loans to all qualified applicants under this subchapter, the Division of Higher Education shall award the loans on a competitive basis as determined by the Division of Higher Education.

History. Acts 2017, No. 709, § 1; 2019, No. 910, §§ 2061, 2062. Secondary Education” for “Department of Education” and “Division of Higher Education” for “Department of Higher Education” throughout the section.
Amendments. The 2019 amendment substituted “Division of Elementary and

6-81-1703. Loan amounts — Term — Renewal.

(a)(1) The loan amounts under this subchapter shall be the lesser of:

(A) Five thousand dollars (\$5,000) per academic year; or

(B) The total cost of attendance for an academic year at the institution of higher education in which the individual is enrolled less any other scholarships or grants received by the individual for that academic year.

(2) The total amount of loans awarded to an individual under this subchapter shall not exceed ten thousand dollars (\$10,000).

(b) A loan made to an individual under this subchapter shall be:

(1) For one (1) academic year; and

(2) Renewable annually until the individual graduates from the institution of higher education and receives a degree, if the individual:

(A) Continues to meet the eligibility requirements under § 6-81-1702; and

(B) Meets the satisfactory academic progress standards required to receive other financial aid at the institution of higher education where the individual is enrolled, as determined by the Division of Higher Education in conjunction with the institution of higher education.

History. Acts 2017, No. 709, § 1; 2019, No. 910, § 2063. substituted “Division of Higher Education” for “Department of Higher Education” in (b)(2)(B).

Amendments. The 2019 amendment

6-81-1704. Loan contract — Forgiveness.

(a) An individual who receives a loan under this subchapter shall execute a written loan contract with the Division of Higher Education for the repayment of the loan as provided in this subchapter.

(b) A loan contract executed under subsection (a) of this section shall provide that the total amount of the loans awarded to the individual under this subchapter, plus accrued interest, shall be forgiven at the rate of twenty percent (20%) per year for each year that the individual teaches in a school or school district located in a geographic area identified by the Division of Elementary and Secondary Education under § 6-15-403 [repealed] as a critical teacher shortage area.

History. Acts 2017, No. 709, § 1; 2019, No. 910, § 2064. substituted “Division of Higher Education” for “Department of Higher Education” in (a); and substituted “Division of Elementary and Secondary Education” for “Department of Education” in (b).

Amendments. The 2019 amendment substituted “Division of Higher Education” for “Department of Education” in (b).

6-81-1705. Repayment — Deferment.

(a) An individual who receives a loan under this subchapter shall immediately begin repayment of each loan the individual received, together with interest as determined by the Division of Higher Education, if the individual:

(1) Ceases to be enrolled in good standing at an institution of higher education in this state, unless the individual has graduated and received a degree;

(2) Does not obtain licensure as a teacher from the State Board of Education within one (1) year of graduating and receiving a degree;

(3) Does not begin work as a licensed teacher in the academic year immediately following becoming licensed;

(4) Does not teach in a school or school district located in a geographic area identified by the Division of Elementary and Secondary Education under § 6-15-403 [repealed] as a critical teacher shortage area in the individual's first year as a licensed teacher; or

(5)(A) Does not teach in a school or school district located in a geographic area identified by the Division of Elementary and Secondary Education under § 6-15-403 [repealed] as a critical teacher shortage area for five (5) consecutive years beginning immediately upon obtaining licensure.

(B) The total amount of the loans awarded to an individual that are subject to repayment under subdivision (a)(5)(A) of this section shall be reduced on a pro rata basis as required under § 6-81-1704(b).

(b)(1) The Division of Higher Education may defer the requirements under subdivisions (a)(3)-(5) of this section if the Division of Higher Education, in consultation with the Division of Elementary and Secondary Education, determines that there was no employment position available that would reasonably enable the individual to meet the requirements.

(2) After the period of deferral, the individual shall begin or resume teaching in a school or school district located in a geographic area identified by the Division of Elementary and Secondary Education under § 6-15-403 [repealed] as a critical teacher shortage area or become subject to repayment under subsection (a) of this section.

History. Acts 2017, No. 709, § 1; 2019, No. 910, § 2065.

Amendments. The 2019 amendment substituted "Division of Higher Educa-

tion" for "Department of Higher Education" and "Division of Elementary and Secondary Education" for "Department of Education" throughout the section.

6-81-1706. Rules.

The Division of Higher Education shall promulgate rules to implement this subchapter.

History. Acts 2017, No. 709, § 1; 2019, No. 910, § 2066.

Amendments. The 2019 amendment

substituted "Division of Higher Education" for "Department of Higher Education".

SUBCHAPTER 18 — OSTEOPATHIC RURAL MEDICAL PRACTICE STUDENT LOAN AND SCHOLARSHIP PROGRAM

SECTION.
6-81-1801. Creation.

SECTION.
6-81-1802. Definitions.

SECTION.

- 6-81-1803. Osteopathic Rural Medical Practice Student Loan and Scholarship Board.
- 6-81-1804. Loan applications — Medical students and medical school graduates.
- 6-81-1805. Medical students — Investigation after application.
- 6-81-1806. Medical students — Purpose of loan.
- 6-81-1807. Medical students — Eligibility for initial and renewal loans.
- 6-81-1808. Maximum amount of loans.
- 6-81-1809. Loan contracts — Osteopathic rural medical practice loans — Obligations and conditions.
- 6-81-1810. Funding of loans.

SECTION.

- 6-81-1811. Annual report.
- 6-81-1812. Dispute resolution — Determination of breach.
- 6-81-1813. Medical school graduates — Community match contract — Eligibility.
- 6-81-1814. Medical school graduates — Community match contract — Obligations and conditions.
- 6-81-1815. Medical school alternates — Rural medical practice loans.
- 6-81-1816. Tracking loan contract compliance.
- 6-81-1817. Osteopathic Rural Medical Practice Student Loan and Scholarship Program Administrator.

Effective Dates. Acts 2019, No. 857, § 2: July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that, in order to carry out the requirements of this act for the next fiscal year, it is necessary that this act become effective

in time for purposes of budgeting. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-81-1801. Creation.

There is established within the Division of Higher Education the Osteopathic Rural Medical Practice Student Loan and Scholarship Program to be administered by the Osteopathic Rural Medical Practice Student Loan and Scholarship Board.

History. Acts 2019, No. 857, § 1.

6-81-1802. Definitions.

As used in this subchapter:

(1) "Medically underserved" means an area in Arkansas that the Osteopathic Rural Medical Practice Student Loan and Scholarship Board determines has unmet needs for medical services due to factors, including without limitation:

- (A) The ratio of primary care physicians to population;
- (B) The infant mortality rate;
- (C) The percentage of:

- (i) Population with incomes below the federal poverty level, as it existed on January 1, 2019;
- (ii) Resident individuals sixty (60) years of age and older; and
- (iii) Physicians sixty (60) years of age and older;

(D) Accessibility within the area to primary care medicine; and

(E) Other relevant criteria the board may deem necessary for a determination of unmet needs for medical services;

(2) "Primary care medicine" means health care provided in one (1) of the following areas of practice:

(A) Family medicine;

(B) General internal medicine;

(C) General internal medicine and pediatrics;

(D) General pediatrics;

(E) General obstetrics and gynecology;

(F) General surgery;

(G) Emergency medicine; and

(H) Geriatrics; and

(3) "Qualified rural community" means an area:

(A) With a population below twenty thousand (20,000) according to the most recent federal census;

(B) That is at least twenty (20) miles from a city or town with a population of more than twenty thousand (20,000) according to the most recent federal census; and

(C) That is reasonably determined by the board to be medically underserved.

History. Acts 2019, No. 857, § 1.

6-81-1803. Osteopathic Rural Medical Practice Student Loan and Scholarship Board.

(a)(1) There is established the Osteopathic Rural Medical Practice Student Loan and Scholarship Board composed of:

(A) One (1) representative of each medical school in Arkansas that is not the University of Arkansas for Medical Sciences;

(B) One (1) representative of the Arkansas Osteopathic Medical Association, who shall serve as vice chair;

(C) Two (2) physician members appointed by the Arkansas Osteopathic Medical Association, giving preference to physicians who have received osteopathic rural medical practice loans, community match loans, or income incentives; and

(D) Two (2) representatives appointed by the Arkansas Hospital Association, Inc.

(2) Members of the board shall:

(A) Serve a term of three (3) years; and

(B) Not serve more than two (2) consecutive terms.

(3) Except as provided under subsection (c) of this section, members of the board shall serve without compensation.

(4) Vacancies shall be filled in a similar manner as provided under subdivisions (a)(1) and (2) of this section.

(b) The board shall:

(1) Promulgate reasonable rules necessary to execute the provisions of this subchapter, including without limitation rules addressing the

requirements and in conformance with the requirements of the Arkansas Administrative Procedure Act, § 25-15-201 et seq., and other appropriate state laws in promulgating and placing rules into effect:

- (A) For a health professions shortage area;
 - (B) To become a qualified rural community eligible to participate in the Osteopathic Rural Medical Practice Student Loan and Scholarship Program under this subchapter; and
 - (C) For a procedure to resolve disputes arising out of or relating to a rural practice or community match loan or income incentive contract;
- (2) Prescribe forms for and regulate the submission of loan applications;
 - (3) Determine eligibility of applicants;
 - (4) Allow or disallow loan or income incentive applications;
 - (5) Contract, increase, decrease, terminate, and otherwise regulate all loan and income incentive disbursements for these purposes, receipts for their repayment, and convert loans to scholarships or grants, as applicable;
 - (6) Manage, operate, and control all funds and property appropriated or otherwise contributed for this purpose;
 - (7) Accept gifts, grants, bequests, or devises and apply them as a part of the Osteopathic Rural Medical Practice Student Loan and Scholarship Program;
 - (8) Sue and be sued as the board; and
 - (9) Accept moneys from federal programs that may be used for furtherance of the purposes of this subchapter.
- (c) The members of the board may receive expense reimbursement and stipends in accordance with § 25-16-901 et seq.
 - (d) The board shall administer the Osteopathic Rural Medical Practice Student Loan and Scholarship Program and the Community Match Rural Physician Recruitment Program.

History. Acts 2019, No. 857, § 1.

6-81-1804. Loan applications — Medical students and medical school graduates.

(a) An individual may apply for a loan under this subchapter on forms prescribed by the Osteopathic Rural Medical Practice Student Loan and Scholarship Board if the individual is:

(1) Accepted for admission to or enrolled in good standing in a medical school in Arkansas in studies that lead to the degree of Doctor of Osteopathic Medicine; and

(2) A bona fide resident of Arkansas.

(b) A graduate of an accredited osteopathic medical school in the United States may apply for the community match income incentive program under this subchapter on forms prescribed by the board so long as the applicant satisfies the criteria set forth in § 6-81-1814.

History. Acts 2019, No. 857, § 1.

6-81-1805. Medical students — Investigation after application.

When an osteopathic rural medical practice loan application is filed with the Osteopathic Rural Medical Practice Student Loan and Scholarship Board, the board shall examine the application, investigate the ability, character, and qualifications of the applicant, and investigate the financial standing of the applicant or his or her parents to determine whether the applicant is in need of a loan to advance his or her medical education.

History. Acts 2019, No. 857, § 1.

6-81-1806. Medical students — Purpose of loan.

Osteopathic rural medical practice loans provided for in this subchapter shall be made for the sole purpose of paying the applicant's tuition, maintenance, and educational expenses and the necessary living expenses of his or her dependents while the applicant is enrolled in a program of medical education as described in this subchapter.

History. Acts 2019, No. 857, § 1.

6-81-1807. Medical students — Eligibility for initial and renewal loans.

(a) The Osteopathic Rural Medical Practice Student Loan and Scholarship Board may make osteopathic rural medical practice loans to the applicant, each osteopathic rural medical practice loan being expressly made subject to the provisions of § 6-81-1809(c) and § 6-81-1810, if the board finds that:

- (1) The applicant is a bona fide resident of Arkansas;
- (2) The applicant has been accepted for admission to or is enrolled in good standing in studies that lead to the degree of Doctor of Osteopathic Medicine;
- (3) The applicant is enrolled in a medically underserved and rural practice curriculum;
- (4) The applicant needs financial assistance to complete his or her medical studies;
- (5) The applicant desires to practice medicine in an eligible qualified rural community; and
- (6) The applicant is a person of good moral character and one who has the talent and capacity to profit by medical studies.

(b) Subject to the availability of funds, an initial osteopathic rural medical practice loan for one (1) academic year shall be renewable annually for the number of years required to complete studies leading to the Doctor of Osteopathic Medicine degree or for additional amounts, not to exceed the maximum amounts specified in § 6-81-1808, but all subsequent osteopathic rural medical practice loans shall be granted only upon application by the recipient and a finding by the board that:

(1) The applicant has completed successfully the medical studies of the preceding academic year and remains in good standing as an enrolled student in the college;

(2) The applicant is enrolled or participating in a medically underserved and rural practice curriculum;

(3) The applicant continues to be a resident of Arkansas; and

(4) The applicant's financial situation continues to warrant financial assistance made under the conditions of this section.

History. Acts 2019, No. 857, § 1.

6-81-1808. Maximum amount of loans.

(a) The maximum amount of each osteopathic rural medical practice loan for osteopathic medical students shall not exceed sixteen thousand five hundred dollars (\$16,500) per academic year or those costs that are reasonable and necessary for the student's attendance as determined by the Osteopathic Rural Medical Practice Student Loan and Scholarship Board.

(b)(1) The maximum amount of each community match income incentive shall not exceed eighty thousand dollars (\$80,000) or as the board otherwise shall determine payable under § 6-81-1816.

(2) The board shall provide fifty percent (50%) of the community match income incentive, and the qualified rural community shall provide the other fifty percent (50%) of the income incentive.

(3) However, if the board does not have sufficient funds to match the community's portion of the income incentive, nothing precludes a qualified rural community from providing the total income incentive amount.

History. Acts 2019, No. 857, § 1.

6-81-1809. Loan contracts — Osteopathic rural medical practice loans — Obligations and conditions.

(a) The Osteopathic Rural Medical Practice Student Loan and Scholarship Board shall enter into a loan contract with the applicant to whom an osteopathic rural medical practice loan is made.

(b) The contract shall be approved by the Attorney General and shall be signed by the Chair of the Osteopathic Rural Medical Practice Student Loan and Scholarship Board, countersigned by the Secretary of the Osteopathic Rural Medical Practice Student Loan and Scholarship Board, and signed by the applicant.

(c) Each applicant to whom an osteopathic rural medical practice loan or loans are granted by the Osteopathic Rural Medical Practice Student Loan and Scholarship Board shall execute a written loan contract that incorporates the following obligations and conditions:

(1)(A) The recipient of an osteopathic rural medical practice loan or loans shall bindingly contract that he or she shall practice primary

care medicine full time in a qualified rural community upon completion of:

(i) His or her medical internship of one (1) year undertaken immediately following the earning of the degree of Doctor of Osteopathic Medicine;

(ii) Four (4) additional years of medical training beyond the internship if the training has been approved in advance by the Osteopathic Rural Medical Practice Student Loan and Scholarship Board and includes practice experience in a rural community; or

(iii) At the request of the recipient of an osteopathic rural medical practice loan, the Osteopathic Rural Medical Practice Student Loan and Scholarship Board may approve the recipient's request to practice in more than one (1) qualified rural community to meet his or her obligation to practice full time if the Osteopathic Rural Medical Practice Student Loan and Scholarship Board determines, based upon guidelines established by the Osteopathic Rural Medical Practice Student Loan and Scholarship Board, that the physician need in the rural communities cannot sustain a full-time medical practice or that other compelling circumstances exist.

(B) The recipient of an osteopathic rural medical practice loan or loans shall bindingly contract that for each year's loan he or she shall practice medicine in accordance with subdivision (c)(1)(A) of this section for a whole year.

(C) For each continuous whole year of medical practice, in accordance with subdivision (c)(1)(A) of this section, subject to reasonable leave periods, including without limitation vacation, sick leave, continuing medical education, jury duty, funerals, holidays, or military service, the Osteopathic Rural Medical Practice Student Loan and Scholarship Board shall cancel, by converting to a scholarship grant, the full amount of one (1) year's loan plus accrued interest;

(2)(A) The recipient of an osteopathic rural medical practice loan or loans shall bindingly contract that not engaging in the practice of medicine in accordance with the loan contract and with this subchapter may result in suspension of his or her license to practice medicine in this state.

(B) The recipient's medical license may not be suspended unless the recipient's contract contained a specific term that loss of license was a consequence of breach and the recipient signed a written acknowledgment of understanding that the suspension of license was explained to him or her orally as a potential consequence of breach of the contractual provisions.

(C) The suspension may be for a period of years equivalent to the number of years that the recipient is obligated to practice medicine in a rural area but has not so practiced and until the loan with interest together with any civil money penalties, as reduced by each full year of medical practice according to the terms of the loan contract, is paid in full;

(3) Any communication from a medical school in Arkansas that is not the University of Arkansas for Medical Sciences with any state medical

licensing board shall include a notation that the recipient of an osteopathic rural medical practice loan has a contract with the State of Arkansas to practice medicine in a rural community and that breach of that contract may result in suspension of the recipient's Arkansas medical license;

(4)(A) In the event that any osteopathic rural medical practice loan recipient under this subchapter does not engage in the practice of medicine in accordance with the terms of this section and of his or her loan contract in order to have the loan contract recognized as a scholarship, the recipient shall remain obligated to repay the loan or loans received, together with interest at the maximum rate allowed by Arkansas law or the federal discount rate plus five percent (5%) per annum, whichever is the lesser, the interest to accrue from the date each payment of funds was received by the recipient.

(B) Neither interest nor the obligation to repay the principal sums accrued shall accrue during any one (1) period of time that the recipient involuntarily serves on active duty in the United States Armed Forces.

(C) Repayment of principal with interest shall be due and payable in full at the earliest to occur of the following events:

(i) Failure to remain enrolled in a medically underserved and rural practice curriculum;

(ii) Failure to remain in enrollment status continuously to completion of the degree of Doctor of Osteopathic Medicine for any reason other than temporary personal illness;

(iii) Failure to complete the internship;

(iv)(a) Failure to engage in the full-time practice of medicine while residing in a qualified rural community in Arkansas as defined in § 6-81-1802.

(b) However, the Osteopathic Rural Medical Practice Student Loan and Scholarship Board may waive the residency requirement on a case-by-case basis; and

(v) Failure to establish a practice as described under subdivision (c)(4)(C)(iv)(a) of this section within six (6) months following either internship or four (4) additional years of medical education that includes practice experience in a rural community.

(D) In the event of the death of the recipient, the entire loan amount that has not been converted to a scholarship grant pursuant to the terms of the loan contract shall be due and payable;

(5) If an alternate on the waiting list for acceptance to an osteopathic medical school in Arkansas enters into an osteopathic rural medical practice program contract conditioned only upon the applicant's being accepted for admission to the college and otherwise meets the requirements of § 6-81-1807 and if the applicant is moved to the top of the waiting list under § 6-81-1815, the alternate's contract shall contain an additional term that breach of the contract may result in civil money penalties in the amount of one hundred percent (100%) of the loan amount; and

(6) This subsection shall not prohibit the Osteopathic Rural Medical Practice Student Loan and Scholarship Board from considering and entering into a negotiated settlement with the osteopathic rural medical practice loan recipient involving the license suspension, the amount of the civil money penalty, and the terms of repayment of the loan.

(d) The Osteopathic Rural Medical Practice Student Loan and Scholarship Board may amend agreements entered into with any loan recipient at any time prior to full performance of the recipient's contractual obligations.

(e)(1) An osteopathic rural medical practice loan recipient may apply to an osteopathic medical school in Arkansas for a waiver of the contractual provisions set forth in subdivision (c)(2) of this section.

(2)(A) If the osteopathic medical school in Arkansas determines that exigent circumstances warrant a waiver, the loan recipient shall be notified in writing.

(B) The osteopathic medical school in Arkansas shall immediately notify the Arkansas State Medical Board of such determination.

History. Acts 2019, No. 857, § 1.

6-81-1810. Funding of loans.

(a)(1) All payments for osteopathic rural practice loans and community match loans under this subchapter shall be made on requisitions signed by the Chair of the Osteopathic Rural Medical Practice Student Loan and Scholarship Board drawn against the funds held for the purpose of this subchapter.

(2) These funds, consisting of state appropriations so designated, revolving amounts received from repayment of loans and interest, and all funds and property and income received by the Osteopathic Rural Medical Practice Student Loan and Scholarship Board under its authority to accept and apply gifts, bequests, and devises shall be held in trust and disbursed by the fiscal officers of a medical school in Arkansas that is not the University of Arkansas for Medical Sciences for the aforesaid purposes.

(b) Funds collected as a result of a recipient's breach of an osteopathic rural practice loan contract or community match loan contract shall be:

(1) Held in trust for the use of the Osteopathic Rural Medical Practice Student Loan and Scholarship Program and the Community Match Rural Physician Recruitment Program, or as otherwise deemed appropriate by the board in its discretion; and

(2) Disbursed by the fiscal officer of an osteopathic medical school in Arkansas under this subchapter.

History. Acts 2019, No. 857, § 1.

6-81-1811. Annual report.

(a) The Osteopathic Rural Medical Practice Student Loan and Scholarship Board shall make an annual report to the Governor concerning the activities of the board and shall file a copy of its report with the Legislative Council.

(b)(1) The report under subsection (a) of this section shall include:

(A) The names of the recipients of the loans;

(B) The amount of each loan;

(C) An accounting of the funds granted, on hand, and expended for necessary expenses;

(D) The total amount of funds received during the year from gifts, federal grants, bequests, and devises; and

(E) The amount of loans which, during the year, become scholarships through compliance with the conditions of the loan contracts.

(2) This report shall include the names and addresses, and amount of loans to each person, of those recipients who are in default of repayment obligations.

History. Acts 2019, No. 857, § 1.

6-81-1812. Dispute resolution — Determination of breach.

(a) Any applicant for a loan or income incentive issued by the Osteopathic Rural Medical Practice Student Loan and Scholarship Board, any person who has been granted a loan or has been granted income incentives by the board, or any party to an osteopathic rural medical practice or community match loan or income incentive may appeal any decision or action by the board relating to the application for a loan or income incentive or relating to a loan or income incentive granted by the board under the dispute resolution procedure established under this subchapter.

(b)(1) The board, under § 6-81-1803(b)(1), shall promulgate rules establishing a procedure that may be used by a loan or income incentive recipient, the board, or a qualified rural community to resolve any dispute arising out of or relating to an osteopathic rural medical practice or community match loan or income incentive contract, including the validity or interpretation of a contract term, contract enforcement or defenses, the occurrence of an event of default or breach, loan repayment, the assessment or imposition of contract damages or civil money penalties, or other related disputes.

(2) The rules may provide for alternative dispute resolution, such as mediation, as appropriate.

(3) The dispute resolution procedure established by the board shall be followed before the initiation of any litigation related to an osteopathic rural medical practice or community match loan or income incentive contract.

(c) This subchapter does not prohibit informal disposition by stipulation, settlement, or consent.

History. Acts 2019, No. 857, § 1.

6-81-1813. Medical school graduates — Community match contract — Eligibility.

(a)(1) The Osteopathic Rural Medical Practice Student Loan and Scholarship Board shall administer the Community Match Rural Physician Recruitment Program.

(2)(A) Interested rural communities may apply to the Osteopathic Rural Medical Practice Student Loan and Scholarship Board to participate in the program as a qualified rural community.

(B) The Osteopathic Rural Medical Practice Student Loan and Scholarship Board shall approve a designated representative or representatives of the qualified rural community to assist the Osteopathic Rural Medical Practice Student Loan and Scholarship Board in matters relating to any community match contracts entered into by the Osteopathic Rural Medical Practice Student Loan and Scholarship Board and the qualified rural community.

(b) The Osteopathic Rural Medical Practice Student Loan and Scholarship Board, in conjunction with a qualified rural community, may grant community match income incentives to applicants, each incentive being expressly made subject to § 6-81-1814, if it finds that:

(1) The applicant is a graduate of:

(A) An accredited osteopathic medical school in the United States; or

(B) A foreign medical school if the applicant:

(i) Was a resident of Arkansas and citizen of the United States prior to enrollment in the foreign medical school; and

(ii) Has been licensed by the Arkansas State Medical Board;

(2) The applicant satisfies one (1) of the following criteria:

(A) He or she is enrolled in a residency or other training program in an area of primary care medicine; or

(B) No more than two (2) years before the date of the application, he or she completed a residency or other training program in an area of primary care medicine;

(3) The applicant desires to practice medicine in the qualified rural community; and

(4) The designated representative or representatives of the qualified rural community approve the applicant.

History. Acts 2019, No. 857, § 1.

6-81-1814. Medical school graduates — Community match contract — Obligations and conditions.

(a)(1) The Osteopathic Rural Medical Practice Student Loan and Scholarship Board and the qualified rural community shall enter a joint community match income incentive contract with the applicant.

(2) The form of the community match income incentive contract shall be approved by the Attorney General and shall be signed by the Chair

of the Osteopathic Rural Medical Practice Student Loan and Scholarship Board, the Secretary of the Osteopathic Rural Medical Practice Student Loan and Scholarship Board, the designated representative or representatives of the qualified rural community, and the applicant.

(b) Each applicant to whom a community match income incentive is granted by the board shall execute a written contract that shall incorporate the following obligations and conditions:

(1)(A) The recipient of a community match income incentive shall bindingly contract that he or she shall practice primary care medicine full time in the contracting qualified rural community for a period of four (4) years.

(B)(i) The recipient shall receive the community match income incentive funds according to a disbursement schedule acceptable to the board, the qualified rural community, and the recipient as set forth in writing in the community match contract.

(ii) For each three-month period of full-time medical practice by the recipient, according to the terms of the community match contract, the board and the qualified rural community shall award one-fourth ($\frac{1}{4}$) of the income incentive for the year of service;

(2)(A) If any recipient does not begin or ceases the full-time practice of medicine in breach of the community match income incentive contract or otherwise breaches the community match income incentive contract, the recipient shall pay twenty thousand dollars (\$20,000) for each uncompleted full year of the four-year contract term, and any civil money penalties that apply.

(B) The board may impose civil money penalties of up to fifty percent (50%) of the principal amount of the income incentive under the terms of the community match income incentive contract as a consequence of breach; and

(3) Neither interest nor the obligation to repay the principal sums accrued shall accrue during any one (1) period of time that the recipient involuntarily serves on active duty in the United States Armed Forces.

(c) Subsection (b) of this section does not prohibit the board from considering and entering into a negotiated settlement with the income incentive recipient involving the terms of repayment of amounts paid under the terms of the community match income incentive contract.

(d) Community match income incentive contracts may be amended at any time before the income incentive has been paid in full or terms and conditions of the contract are satisfied.

(e) The board shall promulgate rules setting forth additional terms and conditions of community match income incentive contracts.

History. Acts 2019, No. 857, § 1.

6-81-1815. Medical school alternates — Rural medical practice loans.

(a) If an alternate on the waiting list for acceptance to an osteopathic medical school in Arkansas demonstrates a willingness to enter into an

osteopathic rural medical practice loan contract and meets the requirements of § 6-81-1807, the applicant shall be moved to the top of the waiting list upon entering into an osteopathic rural medical practice student loan contract.

(b) The priority on the waiting list for an alternate who enters into an osteopathic rural medical practice student loan contract shall be determined by the date and time such an alternate enters into the rural medical practice student loan contract.

History. Acts 2019, No. 857, § 1.

6-81-1816. Tracking loan contract compliance.

An osteopathic medical school in Arkansas shall:

(1) Track graduates who were recipients of osteopathic rural medical practice loans under this subchapter for the length of their contractual obligations; and

(2) Report to the Legislative Council by October 1 of each even-numbered year regarding the compliance of those graduates with the terms of their contracts.

History. Acts 2019, No. 857, § 1.

6-81-1817. Osteopathic Rural Medical Practice Student Loan and Scholarship Program Administrator.

(a) There is established an Osteopathic Rural Medical Practice Student Loan and Scholarship Program Administrator.

(b) The administrator shall:

(1) Be employed by the Division of Higher Education;

(2) Serve as liaison between osteopathic rural medical practice student loan recipients and rural communities by:

(A) Working with the communities to identify their unique needs, to develop profiles of their ideal candidates, and to prepare for recruitment visits; and

(B) Assisting medical students and residents to identify medically underserved and other rural communities that suit their personal and medical practice needs and to meet their contractual obligations;

(3) Collect and monitor Osteopathic Rural Medical Practice Student Loan and Scholarship Program data, including demographic data of participants and communities, service completion rates, retention rates beyond service completion, satisfaction of obligated physicians and communities, and other information;

(4) Prepare annual program evaluations and present the evaluations to the Osteopathic Rural Medical Practice Student Loan and Scholarship Board;

(5) Assist with preparation and submission of program reports;

(6) Attend board meetings in a nonvoting capacity; and

(7) Perform other functions assigned by the board.

History. Acts 2019, No. 857, § 1.

CHAPTER 82

SCHOLARSHIPS

SUBCHAPTER.

1. GENERAL PROVISIONS.
2. STUDENT ASSISTANCE GRANT PROGRAM. [REPEALED.]
3. ARKANSAS GOVERNOR'S SCHOLARS PROGRAM.
4. ARKANSAS HIGH TECHNOLOGY SCHOLARSHIP PROGRAM.
5. CHILDREN OF LAW ENFORCEMENT OFFICERS, ETC.
6. CHILDREN OF VETERANS, PRISONERS OF WAR, ETC.
7. ARKANSAS LITERACY CORPS. [REPEALED.]
8. ARKANSAS NATIONAL GUARD SCHOLARSHIP PROGRAM. [REPEALED.]
9. ARKANSAS OPPORTUNITY SCHOLARSHIP ACT. [REPEALED.]
10. ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM. [REPEALED.]
11. SECOND EFFORT SCHOLARSHIP PROGRAM. [REPEALED.]
12. LAW ENFORCEMENT OFFICERS.
13. DELTA REGION SCHOLARSHIP PROGRAM. [REPEALED.]
14. HONORS COLLEGE SCHOLARSHIP PROGRAM. [REPEALED.]
15. ARKANSAS GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP PROGRAM.
16. ARKANSAS WORKFORCE IMPROVEMENT GRANT PROGRAM. [REPEALED.]
17. HIGHER EDUCATION OPPORTUNITIES GRANT PROGRAM. [REPEALED.]
18. ARKANSAS FUTURE GRANT PROGRAM.
19. SCHOLARSHIPS FOR TEACHERS IN HIGH-NEED SUBJECT AREAS.
20. GRADUATE MEDICAL EDUCATION RESIDENCY EXPANSION BOARD.
21. ARKANSAS FORESTERS FOR THE FUTURE SCHOLARSHIP PROGRAM ACT OF 2021.

RESEARCH REFERENCES

Am. Jur. 15A Am. Jur. 2d, Colleges & U., § 20.
C.J.S. 14A C.J.S., Colleges & U., § 34.

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

- 6-82-101. [Repealed.]
 6-82-102. Annual review of minority scholarship or grant programs.
 6-82-103. Out-of-state tuition.
 6-82-104. [Repealed.]
 6-82-105. Administration — Authority of Division of Higher Education.

SECTION.

- 6-82-106. Scholarship awards.
 6-82-107. Criminal history not a disqualifier.
 6-82-108. Academic Support Scholarship.

Effective Dates. Acts 1997, No. 112, § 40: Feb. 7, 1997. Emergency clause pro-

vided: "It is hereby found and determined by the General Assembly that Act 10 of the

First Extraordinary Session of 1995 abolished the Joint Interim Committee on Education and in its place established the House Interim Committee and Senate Interim Committee on Education; that various sections of the Arkansas Code refer to the Joint Interim Committee on Education and should be corrected to refer to the House and Senate Interim Committees on Education; that this act so provides; and that this act should go into effect immediately in order to make the laws compatible as soon as possible. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 1997, No. 1211, § 40: July 1, 1997. Emergency clause provided: "It is hereby found and determined by the Eighty-First General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1997 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1997 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997."

Acts 2007, No. 1046, § 3: Apr. 4, 2007. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that new scholarships under the Arkansas Governor's scholarship program need to be awarded to students graduating in May of 2007; that the Department of Higher Education needs sufficient time to solicit and receive scholarship applications; and that this act is immediately necessary to ensure the proper administration of the scholarship program. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-82-101. [Repealed.]

Publisher's Notes. This section, concerning scholarships for students of Quapaw descent, was repealed by Acts 2001,

No. 1692, § 6. The section was derived from Acts 1975, No. 553, § 1; A.S.A. 1947, § 80-2893.

6-82-102. Annual review of minority scholarship or grant programs.

(a) The Arkansas Higher Education Coordinating Board shall review annually all minority scholarship or grant programs administered by the Division of Higher Education in order to ensure that the programs are in compliance with federal regulations.

(b) The board of trustees of each publicly supported institution of higher education shall review annually all minority scholarship or grant programs administered by the institution in order to ensure that the programs are in compliance with federal regulations.

History. Acts 1993, No. 301, §§ 1, 2; No. 330, §§ 1, 2; 1995, No. 1296, § 36; 1997, No. 112, § 24; 1999, No. 478, § 9; 2019, No. 910, § 2067.

Amendments. The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Education” in (a).

6-82-103. Out-of-state tuition.

(a) The board of trustees of any institution of higher education may waive the out-of-state portion of any full tuition scholarship for any full-time student which is provided by unrestricted funds of the institution.

(b) The part that is waived shall not be considered as an expenditure by any rule of the Arkansas Higher Education Coordinating Board.

History. Acts 1997, No. 342, § 41; 1997, No. 1211, § 30; 2019, No. 315, § 399.

transferred to the Arkansas Higher Education Coordinating Board by Acts 1997, No. 1114, § 1.

A.C.R.C. Notes. The State Board of Higher Education was abolished and

Amendments. The 2019 amendment substituted “rule” for “regulation” in (b).

6-82-104. [Repealed.]

Publisher’s Notes. This section, concerning annual report, was repealed by Acts 2007, No. 1573, § 63. The section

was derived from Acts 2001, No. 1520, § 1.

6-82-105. Administration — Authority of Division of Higher Education.

The Division of Higher Education shall administer all state college financial assistance programs provided by legislation or by law and in so doing shall have the following authority and responsibility with respect to state college financial assistance programs provided by legislation or by law to:

(1) Adopt such rules as the division shall deem necessary or appropriate to carry out the purposes of this subchapter;

(2) Establish and consult, as necessary, an advisory committee representing the private and public sectors of postsecondary education in determining guidelines and rules for administration of the student

financial aid programs, including, but not limited to, rules determining academic ability, financial need, and residency;

(3) Prepare application forms, parents' confidential financial statement forms, or any other forms as necessary to properly administer and carry out the purposes of this subchapter and to furnish the forms to persons desiring to make application for state financial aid;

(4) Consider all applications for state scholarships;

(5) Determine a termination date for the acceptance of applications;

(6) Require applicants to file additional information with the division as necessary and appropriate to carry out the purposes of this subchapter and to prevent fraud, misrepresentation, or misleading representation by applicants;

(7) Determine the necessary procedures for the awarding of grants should the number of eligible applicants exceed funds available;

(8) Disburse scholarship grants to qualified students through eligible postsecondary institutions;

(9) Approve or determine the eligibility of any state-supported institution of higher education to participate in or receive disbursements of financial aid on behalf of students awarded any state financial assistance provided by legislation or by law;

(10) Cooperate with and receive the cooperation of the approved private and public institutions of postsecondary education in the state and their governing bodies in the administration of the scholarship program;

(11) Employ or engage such professional, administrative, clerical, and other employees as may be necessary to assist the division in the performance of its duties and responsibilities; and

(12) Provide fair and equitable treatment to all approved institutions and students.

History. Acts 2005, No. 2142, § 2; 2019, No. 315, § 400; 2019, No. 910, §§ 2068-2071.

Amendments. The 2019 amendment by No. 315 substituted "rules" for "regulations" in (2).

The 2019 amendment by No. 910 substituted "Division of Higher Education" for "Department of Higher Education" in the introductory language; and substituted "division" for "department" throughout the section.

6-82-106. Scholarship awards.

(a) The Division of Higher Education is authorized to award scholarships to students who are accepted to a Washington, D.C. public policy academic internship, as determined by the division, if funding is appropriated and available.

(b) The division may promulgate rules to administer this section.

History. Acts 2007, No. 1046, § 2; 2019, No. 910, § 2072.

Amendments. The 2019 amendment substituted "Division of Higher Educa-

tion" for "Department of Higher Education" in (a); and substituted "division" for "department" in (a) and (b).

6-82-107. Criminal history not a disqualifier.

A criminal conviction shall not be used as a basis to disqualify a person from eligibility for a scholarship, grant, loan forgiveness program, or other benefit subsidized by state funds under this chapter unless there is a specific statutory reason for denial that relates to the basis of assistance.

History. Acts 2011, No. 1151, § 1.

6-82-108. Academic Support Scholarship.

(a) The intent of this section is to provide academic support to offset the costs associated with the preparation for college and college readiness assessments to reduce college remediation requirements and increase the number of college graduates in this state.

(b) There is established the Academic Support Scholarship to be administered by the Division of Higher Education, which shall cover the following costs without limitations:

- (1) Tutoring;
- (2) Assessment fees;
- (3) Educational materials; and
- (4) Technology fees.

(c) To apply for a scholarship under this section, a student shall:

- (1) Complete an application created and reviewed by the division;
- (2) Be in good standing with his or her school district;
- (3) Be in the process of applying to a postsecondary institution of higher education;
- (4) Have graduated high school with a minimum grade point average of 2.0 on a 4.0 scale;
- (5) Be eighteen (18) years of age or younger; and

(6) Complete and submit to the United States Department of Education a Free Application for Federal Student Aid (FAFSA) or a subsequent application required by the United States Department of Education for federal financial aid.

(d) A recipient of a scholarship under this section who meets the requirements under subsection (c) of this section is eligible for a scholarship award of two hundred fifty dollars (\$250) for the academic year in which the recipient is enrolled in a postsecondary institution of higher education.

(e) A scholarship under this section shall be funded with any funds remaining after the division allocates sufficient funding to award Arkansas Academic Challenge Scholarships under § 6-85-201 et seq., Arkansas Workforce Challenge Scholarships under § 6-85-301 et seq., and Arkansas Concurrent Challenge Scholarships under § 6-85-401 et seq.

History. Acts 2019, No. 1026, § 1;
2021, No. 331, § 1.

Amendments. The 2021 amendment added (c)(6).

SUBCHAPTER 2 — STUDENT ASSISTANCE GRANT PROGRAM

[Repealed.]

SECTION.

6-82-201 — 6-82-213. [Repealed.]

6-82-201 — 6-82-213. [Repealed.]

Publisher's Notes. This subchapter was repealed by Acts 2005, No. 2142, § 1. The subchapter was derived from the following sources:

6-82-201. Acts 1977, No. 627, § 1; 1977, No. 659, § 1; A.S.A. 1947, § 80-5001.

6-82-202. Acts 1977, No. 627, § 2; 1977, No. 659, § 2; A.S.A. 1947, § 80-5002.

6-82-203. Acts 1977, No. 627, § 3; 1977, No. 659, § 3; A.S.A. 1947, § 80-5003.

6-82-204. Acts 1977, No. 627, § 7; 1977, No. 659, § 7; 1983 (1st Ex. Sess.), No. 50, § 2; A.S.A. 1947, § 80-5007.

6-82-205. Acts 1977, No. 627, §§ 4, 5; 1977, No. 659, §§ 4, 5; 1979, No. 682, § 1; 1979, No. 1048, § 1; A.S.A. 1947, §§ 80-5004, 80-5005.

6-82-206. Acts 1977, No. 627, § 6; 1977, No. 659, § 6; A.S.A. 1947, § 80-5006.

6-82-207. Acts 1977, No. 627, § 8; 1977, No. 659, § 8; 1979, No. 682, §§ 2, 3; 1979, No. 1048, §§ 2, 3; A.S.A. 1947, § 80-5008.

6-82-208. Acts 1977, No. 627, § 6; 1977, No. 659, § 6; 1983 (1st Ex. Sess.), No. 50, § 1; A.S.A. 1947, § 80-5006.

6-82-209. Acts 1977, No. 627, § 5; 1977, No. 659, § 5; A.S.A. 1947, § 80-5005.

6-82-210. Acts 1977, No. 627, § 5; 1977, No. 659, § 5; A.S.A. 1947, § 80-5005.

6-82-211. Acts 1977, No. 627, § 5; 1977, No. 659, § 5; A.S.A. 1947, § 80-5005.

6-82-212. Acts 1977, No. 627, § 5; 1977, No. 659, § 5; A.S.A. 1947, § 80-5005.

6-82-213. Acts 1989, No. 965, § 1.

SUBCHAPTER 3 — ARKANSAS GOVERNOR'S SCHOLARS PROGRAM

SECTION.

6-82-301. Legislative determinations.

6-82-302. Definitions.

6-82-303. Establishment.

6-82-304. Administration — Authority of division.

6-82-305. Recipients known as Arkansas Governor's Scholars or Arkansas Governor's Distinguished Scholars.

6-82-306. Eligibility.

6-82-307. Applicant's responsibilities.

SECTION.

6-82-308. Number of scholarships.

6-82-309. Award of scholarship.

6-82-310. Use of scholarship.

6-82-311. Term, renewal, and allocation of scholarships.

6-82-312. Scholarship amounts.

6-82-313. Termination of scholarship.

6-82-314. Withdrawal from school — Refund.

6-82-315, 6-82-316. [Repealed.]

Effective Dates. Acts 1985, No. 176, § 3; Jan. 1, 1985. Emergency clause provided: "It is hereby determined by the General Assembly that there is an urgent need for clarification of the definition "eligible student" in the Governor's Scholars Program. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after January 1, 1985."

Acts 1989, No. 951, § 4: July 1, 1989. Emergency clause provided: "It is hereby determined by the General Assembly that there currently exists a deficiency in both the number and size of the Governor's Scholarships offered as an incentive to promote post-secondary education in Arkansas. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of public peace, health, and safety shall be in full force and effect July 1, 1989."

Acts 1997, No. 1269, § 6: Apr. 9, 1997. Emergency clause provided: "It is found and determined by the General Assembly that there are some students who qualify for a Governor's Scholarship and receive an undergraduate degree in three (3) years or less and that allowing these students to use the Governor's Scholarship for a fourth year in a postgraduate program would provide an incentive to other students to strive toward receiving a bachelors degree in less than four (4) years and that the immediate effectiveness of this act is essential to the efficient administration of the Governor's Scholarship Program. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 1999, No. 1562, § 10: Apr. 15, 1999. Emergency clause provided: "It is hereby found and determined by the Eighty-second General Assembly that in order to award scholarships based on the provisions of this act to students entering college during the 1999-2000 academic year, immediate implementation of this act is necessary. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2001, No. 1761, § 9: Apr. 30, 2001. Emergency clause provided: "It is found and determined by the General Assembly that the state does not have the funds to support the Arkansas Governor's Scholars Program in its current form; and that applicants graduating after December 31, 2000, will experience uncertainty regard-

ing eligibility for the Arkansas Governor's Scholars Program; and that many applicants may be delayed in beginning their post-secondary education unless changes in the scholarship program become effective in sufficient time to allow scholarship awards to be made to those students needing to make enrollment decisions for the 2001-2002 academic year. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on April 30, 2001."

Acts 2005, No. 1241, § 2: Mar. 24, 2005. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that new scholarships under the Arkansas Governor's scholarship program need to be awarded to students graduating in May of 2005; that the Department of Higher Education needs sufficient time to solicit and receive scholarship applications; and that this act is immediately necessary to ensure the proper administration of the scholarship program. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2007, No. 1046, § 3: Apr. 4, 2007. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that new scholarships under the Arkansas Governor's scholarship program need to be awarded to students graduating in May of 2007; that the Department of Higher Education needs sufficient time to solicit and receive scholarship applications; and that this act is immediately necessary to ensure the proper administration of the scholarship program. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during

which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

Acts 2009, No. 1218, § 6: Apr. 7, 2009. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that new scholarships under the Arkansas Governor’s Scholars Program need to be awarded to students graduating high school in May of 2009; that the Department of Higher Education needs sufficient time to solicit and receive scholarship applications; and that this act is necessary for the proper administration of the Arkansas Governor’s Scholars Program. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

Acts 2013, No. 512, § 2: Mar. 26, 2013. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that some Arkansas graduates are at a disadvantage under the current weighting system for the Arkansas Governor’s Scholars Program; that the Department of Higher Education shall ensure that the weighting system used by the department does not put home-schooled students at a disadvantage; and that this act is immediately necessary to ensure that the Arkansas Governor’s Scholars Program awards granted for the 2013-2014 school year incorporate the revised weighting criteria developed by the department. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Gov-

ernor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled ‘Funding and classification of cabinet-level department secretaries’ and ‘Transformation and Efficiencies Act transition team’ should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

Acts 2021, No. 217, § 3: Mar. 1, 2021. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that current students would qualify for scholarships based on the language of this act; and that this act is immediately necessary to ensure that current students who would qualify for scholarships based on the language of this act will not be denied scholarships for the upcoming school year. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

6-82-301. Legislative determinations.

The General Assembly recognizes that outstanding students are an essential ingredient for the economic and social benefit of the State of Arkansas. Benefits accrue to the state when a majority of National Merit Scholars, National Achievement Scholars, and superior students attend Arkansas institutions of higher education and remain in the state.

History. Acts 1983 (1st Ex. Sess.), No. 59, § 1; A.S.A. 1947, § 80-5901; Acts 2001, No. 1761, § 1.

6-82-302. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Academic ability" means the intellectual standing of a student. In determining superior academic ability, the Division of Higher Education shall examine the student's high school records, competitive examination scores, and demonstrated leadership capabilities;

(2) "Approved institution" means a public or private college or university:

(A) Which is dedicated to educational purposes, located in Arkansas, or located out of state and educating Arkansas residents in dentistry, optometry, veterinary medicine, podiatry, chiropractic, or osteopathy under agreement with the Southern Regional Education Board, accredited by an accrediting agency certified and recognized by the United States Department of Education or the Division of Agency Evaluation and Institutional Accreditation, or a school giving satisfactory assurance that it has the potential for accreditation and is making progress which, if continued, will result in its achieving accreditation;

(B) Which does not discriminate in the admission of students on the basis of race, color, religion, sex, or national origin; and

(C) Which subscribes to the principle of academic freedom;

(3) "Competitive examination" means a standardized examination measuring achievement which is administered annually on a specified date and at a specified location and which is announced publicly;

(4) "Eligible student" means a resident of the State of Arkansas as defined by the Division of Higher Education who:

(A) Is eligible for admission as a full-time student;

(B) Declares an intent to matriculate in an approved institution in Arkansas; and

(C) Graduates from:

(i) A high school in this state, for Arkansas Governor's Scholars; or

(ii) A high school, for Arkansas Governor's Distinguished Scholars;

(5)(A) "Extraordinary academic ability" means:

(i) Achievement of a superscore, as defined by § 6-85-204, of 32 or above on the ACT or a score of 1410 or above on the SAT; and

(ii) Either:

(a) For students graduating from high school after December 31, 2001, achievement of a high school grade point average of 3.5 or above on a 4.0 scale; or

(b) Selection as a finalist in either the National Merit Scholarship competition, the National Hispanic Recognition Program, or the National Achievement Scholarship competition conducted by the National Merit Scholarship Corporation.

(B) For students graduating after December 31, 2001, the ACT superscores and SAT scores shall be earned by December 31 prior to the application deadline in order for the scores to be considered by the Division of Higher Education for a scholarship award;

(6) "Full-time student" means a resident of Arkansas who is in attendance at an approved private or public institution and who is enrolled in at least twelve (12) credit hours the first semester and fifteen (15) hours thereafter, or other reasonable academic equivalent as defined by the Division of Higher Education;

(7) "Scholarship" means an award to an eligible student for matriculation in an approved institution in the State of Arkansas; and

(8) "Undergraduate student" means an individual who is enrolled in a postsecondary educational program which leads to or is directly creditable toward the individual's first baccalaureate degree.

History. Acts 1983 (1st Ex. Sess.), No. 59, § 3; 1985, No. 176, § 1; A.S.A. 1947, § 80-5903; Acts 1997, No. 489, § 1; 1997, No. 1269, § 2; 2001, No. 1761, § 2; 2009, No. 1218, § 1; 2013, No. 416, § 1; 2019, No. 910, §§ 2073-2077; 2021, No. 743, § 1.

A.C.R.C. Notes. The Board of Control for Southern Regional Education referred to in this section also uses the name "Southern Regional Education Board".

Amendments. The 2019 amendment

substituted "Division of Higher Education" for "Department of Higher Education" in (1) and the introductory language of (5); repealed former (4); and substituted "Division of Higher Education" for "department" in (6)(B) and (7).

The 2021 amendment, in (6)(A)(i), substituted "superscore, as defined by § 6-85-204" for "score" and inserted "a score of"; inserted "Either" in (6)(A)(ii); and substituted "superscores" for "scores" in (6)(B).

6-82-303. Establishment.

A scholarship program to promote academic excellence and to encourage the state's most talented graduates to enroll in Arkansas postsecondary educational institutions is created and established which shall be cited as the "Arkansas Governor's Scholars Program".

History. Acts 1983 (1st Ex. Sess.), No. 59, §§ 1, 2; A.S.A. 1947, §§ 80-5901, 80-5902.

6-82-304. Administration — Authority of division.

The Division of Higher Education shall administer the Arkansas Governor's Scholars Program and shall have the following authority and responsibility with respect to the program to:

(1) Prepare application forms or such other forms as the division shall deem necessary to properly administer and carry out the purposes of this subchapter;

(2) Establish and consult as necessary with an advisory committee representing the public and private sectors of postsecondary education and secondary schools in determining guidelines and rules for the administration of the program;

(3) Select recipients of scholarships awarded pursuant to the provisions of this subchapter;

(4) Establish the procedures for payment of scholarships to recipients;

(5) Set a termination date for the acceptance of applications;

(6) Review and evaluate the operation of the program with regard to eligibility criteria and size of the scholarship award to ensure that the program's operation meets the intent of this legislation;

(7) Determine the necessary procedures for the awarding of scholarships if the number of eligible applicants exceeds the available funds or available awards; and

(8) Approve a scholarship hold for a student for a period of twenty-four (24) months or less for the following reasons without limitation:

(A) A medical condition of the student or a member of the student's immediate family that, on the basis of a physician's good-faith judgment, necessitates that the student or the student's immediate family member be hospitalized or receive outpatient or home-based medical care or recuperate until released by the attending physician;

(B) A personal or family emergency that requires the student to:

(i) Attend the funeral of an immediate family member; or

(ii) Visit a relative of the student if the relative has a medical condition in which death is possible or imminent;

(C) Military service under § 6-61-112; or

(D)(i) A commitment of twelve (12) to twenty-four (24) months for service in a national or international humanitarian project sponsored by a nonprofit corporation organized with a charitable or educational purpose.

(ii) The student's commitment shall be expressed in a written agreement with the nonprofit organization, including the terms of completion for the student's service on the related project.

(iii) The division shall release a scholarship hold if the division determines that the student did not complete the commitment under the written agreement.

History. Acts 1983 (1st Ex. Sess.), No. 59, § 6; A.S.A. 1947, § 80-5906; Acts 2001, No. 1761, § 3; 2009, No. 1218, § 2; 2015, No. 21, § 1; 2019, No. 910, §§ 2078-2080.

Amendments. The 2019 amendment

substituted "Division of Higher Education" for "Department of Higher Education" in the introductory language; and substituted "division" for "department" in (1) and twice in (8)(D)(iii).

6-82-305. Recipients known as Arkansas Governor's Scholars or Arkansas Governor's Distinguished Scholars.

(a) Students receiving scholarships shall be known as "Arkansas Governor's Scholars".

(b) Arkansas Governor's Scholarship recipients who exhibit extraordinary academic ability shall be known as "Arkansas Governor's Distinguished Scholars".

History. Acts 1983 (1st Ex. Sess.), No. 1997, No. 489, § 2; 1999, No. 1562, § 1; 59, § 4; A.S.A. 1947, § 80-5904; Acts 2001, No. 1761, § 4.

6-82-306. Eligibility.

(a) The Arkansas Governor's Scholars Program scholarships are to be awarded to those students who demonstrate the highest capabilities for successful college study.

(b) A student is eligible for a scholarship under subsection (a) of this section if he or she:

(1) Meets the admission requirements and is accepted for enrollment as a full-time undergraduate student in an eligible public or private college or university in Arkansas;

(2)(A) Is a bona fide resident of the state, as defined by the Division of Higher Education.

(B) Preference will be given to students who plan to enter college at the beginning of the academic year directly following their last year of high school attendance;

(3) Is a:

(A) Citizen of the United States;

(B) Permanent resident alien;

(C) Person who holds or is the child of a person who holds a Federal Form I-766 United States Citizenship and Immigration Services-issued Employment Authorization Document, known popularly as a "work permit"; or

(D) Person who is a migrant from the Compact of Free Association Islands;

(4) Graduates from a high school;

(5) Has completed and submitted to the United States Department of Education a Free Application for Federal Student Aid (FAFSA) or a subsequent application required by the United States Department of Education for federal financial aid; and

(6)(A) Satisfies the qualifications of superior academic ability as established by the Division of Higher Education with criteria consisting of value points for academic achievement and leadership, including without limitation:

(i) ACT or SAT score, National Merit Finalist, or National Achievement Finalist;

(ii) High school grade point average;

(iii) Rank in high school class; and

(iv) Leadership in school, community, and employment.

(B)(i) The Division of Higher Education may alter the weight assigned to the individual criterion to more appropriately meet the needs of the state as determined by the Arkansas Higher Education Coordinating Board.

(ii) The Division of Higher Education shall ensure that the weight assigned to each individual criterion under this subdivision (b)(6)(B) does not place a homeschooled, public school, or private school student at a disadvantage.

(iii)(a) After determining qualified recipients based on the qualifications under subdivision (b)(6)(A) of this section, the Division of Higher Education shall ensure that at least one (1) recipient is selected from each of the seventy-five (75) counties in Arkansas.

(b) If any of the seventy-five (75) counties is not represented, the Division of Higher Education shall select a student from each unrepresented county with the highest qualifications under subdivision (b)(6)(A) of this section who was not initially qualified.

(c) The scholarship shall be weighed on the factors of achievement, ability, and demonstrated leadership capabilities.

(d) Students who are selected as Arkansas Governor's Scholars who also exhibit extraordinary academic ability as defined in this subchapter shall be designated as Arkansas Governor's Distinguished Scholars.

History. Acts 1983 (1st Ex. Sess.), No. 59, § 5; 1985, No. 176, § 2; A.S.A. 1947, § 80-5905; Acts 1997, No. 489, § 3; 1999, No. 1562, § 2; 2001, No. 1761, § 5; 2009, No. 1218, § 3; 2013, No. 512, § 1; 2015, No. 850, §§ 1, 2; 2019, No. 910, §§ 2081-2084; 2021, No. 79, § 4; 2021, No. 217, § 1; 2021, No. 331, § 2.

Amendments. The 2019 amendment substituted "Division of Higher Education" for "Department of Higher Education" throughout the section; and substituted "Division of Elementary and

Secondary Education" for "Department of Education" in (b)(5)(A).

The 2021 amendment by No. 79 deleted former (b)(5).

The 2021 amendment by No. 217 redesignated part of (b)(3) as (b)(3)(A) and (B); and added (b)(3)(C) and (D).

The 2021 amendment by No. 331 substituted "a scholarship under subsection (a) of this section" for "this scholarship" in the introductory language of (b); deleted former (b)(5); and inserted present (b)(5).

6-82-307. Applicant's responsibilities.

Each applicant shall, in accordance with the provisions of this subchapter and the rules of the Division of Higher Education:

(1) Complete and file with the division the appropriate application for the Arkansas Governor's Scholars Program and such other information and data as may be requested by the division in determining the eligibility of the student;

(2) Furnish to the division information regarding any change in status of the student or any other information that might have a direct bearing on the eligibility of the applicant; and

(3) Provide the division with verification that the scholarship was used in accordance with the purposes of this subchapter.

History. Acts 1983 (1st Ex. Sess.), No. 59, § 7; A.S.A. 1947, § 80-5907; Acts 2019, No. 315, § 401; 2019, No. 910, § 2085.

Amendments. The 2019 amendment by No. 315 deleted “and regulations” following “rules” in the introductory language.

The 2019 amendment by No. 910 substituted “Division of Higher Education” for “Department of Higher Education” in the introductory language; and substituted “division” for “department” throughout the section.

6-82-308. Number of scholarships.

(a) If sufficient funds are available, effective for students receiving their initial awards beginning in fall 2007, the number of initial scholarship awards to eligible high achievers shall not exceed three hundred seventy-five (375) each year.

(b)(1) A report that demonstrates, based on economic projections and revenue forecasts, that sufficient funds are available to award scholarships to high achievers relative to the number of Arkansas Academic Challenge Scholarship recipients shall be submitted to the House Committee on Education, the Senate Committee on Education, and the Legislative Council for review prior to obligating the funds.

(2) Should a shortfall of funds be projected, the Division of Higher Education shall promulgate rules for the priority funding of these scholarships and submit these proposed rules to the Arkansas Higher Education Coordinating Board for a public hearing and to the Administrative Rules Subcommittee of the Legislative Council for review before implementing the rules.

(3) If there are more eligible applicants than available scholarships, the division may determine a procedure for awarding additional scholarships while not exceeding available funds.

History. Acts 1983 (1st Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904; Acts 1989, No. 951, § 1; 1997, No. 489, § 4; 2001, No. 1761, § 6; 2005, No. 1241, § 1; 2007, No. 1046, § 1; 2009, No. 1218, § 4; 2015, No. 850, § 3; 2019, No. 315, § 402; 2019, No. 910, § 2086.

Amendments. The 2019 amendment by No. 315 substituted “Administrative

Rules Subcommittee” for “Administrative Rules and Regulations Subcommittee” in (b)(2).

The 2019 amendment by No. 910 substituted “Division of Higher Education” for “Department of Higher Education” in (b)(2); and substituted “division” for “department” in (b)(3).

6-82-309. Award of scholarship.

An Arkansas Governor’s Scholarship or Arkansas Governor’s Distinguished Scholarship will be awarded to a student in a manner to be determined by the Division of Higher Education.

History. Acts 1983 (1st Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904; Acts 2019, No. 910, § 2087.

Amendments. The 2019 amendment

substituted “Division of Higher Education” for “Department of Higher Education”.

6-82-310. Use of scholarship.

(a) No student may utilize scholarship funds for educational purposes beyond the baccalaureate degree.

(b) There shall be an exception to the requirement of subsection (a) of this section for any student who receives a baccalaureate degree in three (3) years or less. The student may receive an award of the scholarship for a fourth academic year to be used as a full-time student enrolled in a postgraduate program at an approved institution.

History. Acts 1983 (1st Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904; Acts 1997, No. 1269, § 1.

6-82-311. Term, renewal, and allocation of scholarships.

(a) An Arkansas Governor's Scholarship or Arkansas Governor's Distinguished Scholarship may be awarded annually for a period not to exceed an academic year.

(b)(1) A scholarship shall correspond to academic terms, semesters, quarters, or equivalent time periods at the eligible institutions.

(2) In no instance may the entire amount of the grant for an educational year be paid to or on behalf of students in advance.

(c) Provided sufficient funds are available, a scholarship shall be awarded for one (1) academic year and renewed annually for three (3) additional academic years if the following conditions for renewal are met:

(1) A student receiving a scholarship under § 6-82-312(a) maintains not less than a 3.0 grade point average on a 4.0 scholastic grading scale;

(2) A student receiving a scholarship under § 6-82-312(b) maintains not less than a 3.25 grade point average on a 4.0 scholastic grading scale;

(3) A recipient of a scholarship under § 6-82-312(a) or (b) has successfully completed a total of at least twenty-seven (27) hours during the first full academic year and, if applicable, a total of at least thirty (30) hours per academic year thereafter;

(4) A recipient of a scholarship under § 6-82-312(a) or (b) has met any other continuing eligibility criteria established by the Division of Higher Education; and

(5)(A) If a student who has continuously been a recipient of the scholarship under § 6-82-312(a) or (b) for at least three (3) consecutive years is enrolled as a part-time student in the student's fourth academic year, the student shall be eligible to continue to receive the scholarship under § 6-82-312(a) or (b) if the student has completed, by his or her fourth academic year, or is enrolled in, for his or her fourth academic year, the requisite number of credit hours to complete the student's degree program.

(B) The scholarship amount for each semester in which a student who is the recipient of a scholarship under § 6-82-312(a) or (b) is

enrolled under this subsection shall be prorated by the number of credit hours in which the student is enrolled.

History. Acts 1983 (1st Ex. Sess.), No. 59, §§ 4, 6; A.S.A. 1947, §§ 80-5904, 80-5906; Acts 1997, No. 489, § 5; 1999, No. 1562, § 3; 2001, No. 1761, § 7; 2007, No. 274, § 2; 2009, No. 1218, § 5; 2017, No. 1008, § 2; 2019, No. 834, § 1; 2019, No. 910, § 2088.

Amendments. The 2017 amendment substituted “a scholarship under § 6-82-312(a)” for “the additional scholarship under § 6-82-312(b)” in (c)(2).

The 2019 amendment by No. 834 inserted “receiving a scholarship under § 6-82-312(a)” in (c)(1); substituted “6-82-312(b)” for “6-82-312(a)” in (c)(2); inserted “of a scholarship under § 6-82-312(a) or (b)” in (c)(3) and (c)(4); and added (c)(5).

The 2019 amendment by No. 910 substituted “Division of Higher Education” for “Department of Higher Education” in (c)(4).

6-82-312. Scholarship amounts.

(a) An Arkansas Governor’s Scholarship or Arkansas Governor’s Distinguished Scholarship awarded to a new recipient who enrolls in an approved institution as a first-time entering freshmen shall be in an amount that equals the lesser of:

- (1) Ten thousand dollars (\$10,000); or
- (2) Tuition, room and board, and mandatory fees charged for a regular full-time course load by the approved institution in which the recipient is enrolled.

(b) A student selected as a recipient under § 6-82-306(b)(6)(B)(iii)(b) who enrolls in an approved institution as a first-time entering freshman after July 1, 2017, shall be awarded an amount per year that equals the lesser of:

- (1) Five thousand dollars (\$5,000); or
- (2) Tuition, room and board, and mandatory fees charged for a regular full-time course load by the approved institution in which the recipient is enrolled.

History. Acts 1983 (1st Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904; Acts 1989, No. 951, § 2; 1995, No. 189, § 1; 1995, No. 230, § 1; 1997, No. 489, § 6; 1999, No. 1562, § 4; 2001, No. 1761, § 8; 2017, No. 1008, § 3.

Publisher’s Notes. Acts 1989, No. 951, § 2, provided, in part, that its provisions would be effective after June 1, 1989.

Amendments. The 2017 amendment rewrote the section.

6-82-313. Termination of scholarship.

The scholarship will be terminated if a student does not complete a baccalaureate degree program within five (5) years from initial college entrance.

History. Acts 1983 (1st Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904.

6-82-314. Withdrawal from school — Refund.

If a recipient of an Arkansas Governor's Scholarship or Arkansas Governor's Distinguished Scholarship withdraws from an approved private or public institution and under the policy of that institution the student is entitled to a refund of any tuition, fees, or other charges, the institution shall pay the refund to which the student may be entitled to the Division of Higher Education to the extent of any amount the division has paid to the student for that academic year.

History. Acts 1983 (1st Ex. Sess.), No. 59, § 6; A.S.A. 1947, § 80-5906; Acts 2019, No. 910, § 2089.

Amendments. The 2019 amendment

substituted "Division of Higher Education" for "Department of Higher Education" and substituted "division" for "department".

6-82-315, 6-82-316. [Repealed.]

Publisher's Notes. Former §§ 6-82-315 and 6-82-316, concerning the calculation of amount for the State Board of Higher Education and the Department of Higher Education, were repealed by Acts

1999, No. 1562, §§ 5 and 6 respectively. The sections were derived from the following sources:

6-82-315. Acts 1997, No. 1059, § 13.

6-82-316. Acts 1997, No. 1211, § 24.

SUBCHAPTER 4 — ARKANSAS HIGH TECHNOLOGY SCHOLARSHIP PROGRAM**SECTION.**

- 6-82-401. Definitions.
- 6-82-402. Creation and establishment.
- 6-82-403. Administration — Authority of division.
- 6-82-404. Eligibility and preferences.
- 6-82-405. Applicant's responsibilities.

SECTION.

- 6-82-406. Award of scholarship.
- 6-82-407. Number of scholarships.
- 6-82-408. Amount of scholarships.
- 6-82-409. Term, allocation, and renewal.
- 6-82-410. Withdrawal from school — Refund.

Effective Dates. Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the

preservation of the public peace, health, and safety shall become effective on July 1, 2019."

Acts 2021, No. 217, § 3: Mar. 1, 2021. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that current students would qualify for scholarships based on the language of this act; and that this act is immediately necessary to ensure that current students who would qualify for scholarships based on the language of this act will not be denied scholarships for the upcoming school year. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the

expiration of the period of time during which the Governor may veto the bill; or and the veto is overridden, the date the last house overrides the veto.”
 (3) If the bill is vetoed by the Governor

6-82-401. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) “Academic ability” means the intellectual standing of a student. In determining superior academic ability, the Division of Career and Technical Education shall examine the student’s high school records, competitive examination scores, and demonstrated leadership capabilities;

(2) “Approved high technology program” means a course of instruction in a highly technical field offered by any postsecondary educational institution which is approved by the division;

(3) “Approved institution” means all postsecondary educational institutions offering high technology programs which are approved by the division;

(4) “Full-time student” means a resident of Arkansas who is in attendance at an approved institution and who is enrolled for at least twelve (12) semester hours or such other reasonable academic equivalent as defined by the division; and

(5) “Scholarship” means an award to an eligible student for enrollment in an approved institution in the State of Arkansas.

History. Acts 1983 (1st Ex. Sess.), No. 86, § 2; A.S.A. 1947, § 80-2591.1; Acts 2005, No. 1962, § 16; 2019, No. 910, § 2090.

Amendments. The 2019 amendment substituted “Division of Career and Technical Education” for “Department of Career Education” in (1); substituted “division” for “department” in (2) and (3); and repealed former (4).

6-82-402. Creation and establishment.

There is created and established a program which shall be cited as the “Arkansas High Technology Scholarship Program”.

History. Acts 1983 (1st Ex. Sess.), No. 86, § 1; A.S.A. 1947, § 80-2591.

6-82-403. Administration — Authority of division.

The Division of Career and Technical Education shall administer this subchapter and shall have the following authority and responsibility with respect thereto:

(1) To prepare application forms or such other forms as the division shall deem necessary to properly administer and carry out the purposes of this subchapter;

(2) To establish and consult as necessary with an advisory committee representing the public and private sectors of postsecondary education

and secondary schools in determining guidelines and rules for the administration of the Arkansas High Technology Scholarship Program;

(3) To select recipients of scholarships awarded pursuant to the provisions of this subchapter;

(4) To establish the procedures for payment of scholarships to recipients; and

(5) To set a termination date for acceptance of applications.

History. Acts 1983 (1st Ex. Sess.), No. 86, § 5; A.S.A. 1947, § 80-2591.4; Acts 2019, No. 315, § 403; 2019, No. 910, §§ 2091, 2092.

Amendments. The 2019 amendment by No. 315 substituted “rules” for “regulations” in (2).

The 2019 amendment by No. 910 substituted “Division of Career and Technical Education” for “Department of Career Education” in the introductory language; and substituted “division” for “department” in (1).

6-82-404. Eligibility and preferences.

(a) The scholarships shall be awarded to those students who demonstrate the highest capability for successful high technology study.

(b) A student is eligible for this scholarship if the individual:

(1) Has met the admission requirements and is accepted for enrollment as a full-time student in an approved institution;

(2) Has been a bona fide resident of the state prior to graduation from high school;

(3) Is a:

(A) Citizen of the United States;

(B) Permanent resident alien;

(C) Person who holds or is the child of a person who holds a Federal Form I-766 United States Citizenship and Immigration Services-issued Employment Authorization Document, known popularly as a “work permit”; or

(D) Person who is a migrant from the Compact of Free Association Islands; and

(4) Satisfactorily meets the qualifications of superior academic ability as established by the Division of Career and Technical Education.

(c) The scholarship shall be weighed on the factors of achievement, ability, and demonstrated leadership capabilities.

(d) Preference will be given to a student who uses his or her award in the same year that graduation from high school occurs.

History. Acts 1983 (1st Ex. Sess.), No. 86, § 4; A.S.A. 1947, § 80-2591.3; Acts 2019, No. 910, § 2093; 2021, No. 217, § 2.

Amendments. The 2019 amendment substituted “Division of Career and Tech-

nical Education” for “Department of Career Education” in (b)(4).

The 2021 amendment redesignated part of (b)(3) as (b)(3)(A) and (B); and added (b)(3)(C) and (D).

6-82-405. Applicant's responsibilities.

Each applicant shall, in accordance with the provisions of this subchapter and the rules of the Division of Career and Technical Education:

- (1) Complete and file with the division the appropriate application for the scholarship and such other information and data as may be requested by the division in determining the eligibility of the student;
- (2) Furnish to the division information regarding any change in status of the student or any other information that might have a direct bearing on the eligibility of the applicant; and
- (3) Provide the division with verification that the scholarship was used in accordance with the purposes of this subchapter.

History. Acts 1983 (1st Ex. Sess.), No. 86, § 6; A.S.A. 1947, § 80-2591.5; Acts 2019, No. 315, § 404; 2019, No. 910, § 2094.

Amendments. The 2019 amendment by No. 315 deleted "and regulations" following "rules" in the introductory language.

The 2019 amendment by No. 910 substituted "Division of Career and Technical Education" for "Department of Career Education" in the introductory language; and substituted "division" for "department" throughout the section.

6-82-406. Award of scholarship.

A scholarship shall be awarded to the student in a manner to be determined by the Division of Career and Technical Education.

History. Acts 1983 (1st Ex. Sess.), No. 86, § 3; A.S.A. 1947, § 80-2591.2; Acts 2019, No. 910, § 2095.

Amendments. The 2019 amendment

substituted "Division of Career and Technical Education" for "Department of Career Education".

6-82-407. Number of scholarships.

The number of scholarship awards to eligible students shall be twenty (20).

History. Acts 1983 (1st Ex. Sess.), No. 86, § 3; A.S.A. 1947, § 80-2591.2.

6-82-408. Amount of scholarships.

A scholarship shall be awarded in the amount of five hundred dollars (\$500).

History. Acts 1983 (1st Ex. Sess.), No. 86, § 3; A.S.A. 1947, § 80-2591.2.

6-82-409. Term, allocation, and renewal.

(a) A scholarship may be awarded annually for a period not to exceed an academic year.

(b)(1) A scholarship shall correspond to academic terms, semesters, quarters, or equivalent time periods at the eligible institutions.

(2) In no instance may the entire amount of a grant for an educational year be paid to or on behalf of such student in advance.

(c) A scholarship shall be awarded for one (1) academic year and renewed annually for up to three (3) additional academic years if the student maintains not less than a 3.0 grade point average on a 4.0 scholastic grading scale, or an equivalent academic standing, and meets other criteria as established by the Division of Career and Technical Education.

History. Acts 1983 (1st Ex. Sess.), No. 86, §§ 3, 5; A.S.A. 1947, §§ 80-2591.2, 80-2591.4; Acts 2019, No. 910, § 2096.

substituted "Division of Career and Technical Education" for "Department of Career Education" in (c).

Amendments. The 2019 amendment

6-82-410. Withdrawal from school — Refund.

If a recipient of a scholarship withdraws from an approved institution and under the policy of that institution the student is entitled to a refund of any tuition, fees, or other charges, the institution shall pay the refund to which the student may be entitled to the Division of Career and Technical Education, to the extent of any amount the division has paid to the student for that academic year.

History. Acts 1983 (1st Ex. Sess.), No. 86, § 5; A.S.A. 1947, § 80-2591.4; Acts 2019, No. 910, § 2097.

substituted "Division of Career and Technical Education" for "Department of Career Education" and substituted "division" for "department".

Amendments. The 2019 amendment

SUBCHAPTER 5 — CHILDREN OF LAW ENFORCEMENT OFFICERS, ETC.

SECTION.

6-82-501. Definitions.

6-82-502. Rules.

6-82-503. Entitlement.

6-82-504. Awards to children.

SECTION.

6-82-505. Limits for scholarship.

6-82-506. Written application for benefits.

6-82-507. Renewal of scholarship.

Effective Dates. Acts 1983 (1st Ex. Sess.), No. 47, § 2: Nov. 1, 1983. Emergency clause provided: "It is hereby found and determined by the General Assembly that the present administration of the scholarship program for the children of law enforcement officers and firemen who suffer fatal injuries or wounds or become permanently and totally disabled as a result of injuries or wounds which occurred within the scope of employment is unnecessarily complicated for benefit applicants; that the immediate passage of this Act is necessary to clarify this prob-

lem and to accord equity and fairness to the children of such law enforcement officers and firemen. Therefore, an emergency is declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 2003, No. 1473, § 74: July 1, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act includes technical corrects to Act 923 of 2003 which establishes the classification

and compensation levels of state employees covered by the provisions of the Uniform Classification and Compensation Act; that Act 923 of 2003 will become effective on July 1, 2003; and that to avoid confusion this act must also be effective on July 1, 2003. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003."

Acts 2007, No. 172, § 2: Feb. 28, 2007. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that confusion exists regarding the law and that people are being denied scholarships under Arkansas Code § 6-82-503 because the public service employee was returning from a location where a hazardous situation existed; that the risks that public service employees take in the scope of going to and returning from hazardous situations are equally high; and that this act is immediately necessary to ensure that public service employees who risk their lives and health are treated equally. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2009, No. 1217, § 2: Apr. 7, 2009. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that continuing

eligibility for this program needs to exist in order to ensure these students achieve academic success and complete a program of study; that the state is expending funds for student credit hours that will not count toward degree completion; and that the state has an interest in promoting scholarship programs that encourage student achievement. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-82-501. Definitions.

As used in this subchapter:

(1) "Child" or "children" means any natural child, adopted child, or stepchild who is eligible under § 6-82-504;

(2) "Division of Community Correction employee" means any employee of the Division of Community Correction who suffers fatal injuries or wounds or becomes permanently and totally disabled as a result of injuries or wounds that occurred through contact with parolees, probationers, or center residents;

(3)(A) "Emergency medical services personnel" means an individual licensed by the Department of Health at any level established by the rules adopted by the State Board of Health under the Emergency Medical Services Act, § 20-13-201 et seq., and authorized to perform those services set forth in the rules.

(B) This shall include without limitation an emergency medical technician, advanced emergency medical technician, paramedic, emergency medical services instructor, or emergency medical services instructor trainer;

(4) "Firefighter" means any firefighter employed on a full-time or volunteer duty status while actually engaged in the performance of his or her duties;

(5) "Law enforcement officer" means a:

(A) Constable, which includes all duly elected constables of any beat of any county within the state while actually engaged in the performance of their duties concerning the criminal laws of the county and state;

(B) Game warden, which includes all appointed game wardens employed by the State of Arkansas on a full-time duty status while actually engaged in their duties concerning the game laws of this state;

(C) Municipal and college or university police officer, which includes all law enforcement officers of any municipality, college, or university who are regular duty personnel on full-time status and does not include auxiliary officers or those serving on a temporary or part-time status;

(D) Sheriff or deputy sheriff, which includes all law enforcement officers of full-time status on a regular basis serving the sheriff's department of any county but does not include deputy sheriffs who are engaged in administrative or civil duty or deputy sheriffs serving in a temporary capacity or part-time basis; and

(E) State highway patrolman, which includes any law enforcement officer, regardless of department or bureau, of the Division of Arkansas State Police;

(6) "State correction employee" means any employee of the Division of Correction or the Arkansas Correctional School District who becomes subject to injury through contact with inmates or parolees of the Division of Correction;

(7) "State forestry employee" means an employee of the Arkansas Forestry Commission who is actively engaged in his or her duties of fighting forest fires;

(8) "State highway employee" means any employee of the Arkansas Department of Transportation who actively engages in highway maintenance, construction, or traffic operations on the roadways and bridges of the state highway system while the roadways and bridges are open for use by the traveling public;

(9) "State parks employee" means any employee of the Department of Parks, Heritage, and Tourism who is a commissioned law enforce-

ment officer or emergency response employee while actively engaged in the performance of his or her duties; and

(10) "Teacher" means any person employed by a public school for the purpose of giving instruction and whose employment requires state certification.

History. Acts 1973, No. 521, § 2; 1985, No. 420, § 1; A.S.A. 1947, § 80-3360; Acts 1993, No. 153, § 1; 1997, No. 547, § 8; 1999, No. 56, § 1; 1999, No. 1034, § 1; 2001, No. 113, § 1; 2007, No. 806, § 2; 2017, No. 707, § 7; 2019, No. 692, § 12; 2019, No. 910, §§ 685-687; 2021, No. 493, § 2.

Amendments. The 2017 amendment substituted "Department of Transportation" for "State Highway and Transportation Department" in (8).

The 2019 amendment by No. 692 rewrote (3).

The 2019 amendment by No. 910 substituted "Division of Community Correction" for "Department of Community Correction" twice in (2); substituted "Division of Correction" for "Department of Correction" twice in (6); and substituted "Department of Parks, Heritage, and Tourism" for "State Parks Division of the Department of Parks and Tourism" in (9).

The 2021 amendment substituted "Arkansas Correctional School District" for "Corrections School System" in (6).

6-82-502. Rules.

The Arkansas Higher Education Coordinating Board is directed and empowered to promulgate rules as necessary to administer benefits awarded under this subchapter by the Arkansas State Claims Commission.

History. Acts 1973, No. 521, § 4; 1983 (1st Ex. Sess.), No. 47, § 1; A.S.A. 1947, § 80-3362; Acts 1997, No. 547, § 9; 2019, No. 315, § 405.

Amendments. The 2019 amendment deleted "and regulations" following "rules" in the section heading and in the section.

6-82-503. Entitlement.

(a) If any Arkansas law enforcement officer, full-time or volunteer firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee suffers fatal injuries or wounds or becomes permanently and totally disabled as a result of injuries or wounds that occurred in the performance of a hazardous duty within the scope of his or her employment or that occurred en route to or returning from a location where a hazardous situation existed, his or her children and spouse shall be entitled to a total of eight (8) semesters, or the equivalent thereof, of scholarship awards without cost, exclusive of books, food, school supplies, materials, and dues or fees for extracurricular activities, at any state-supported college, university, or technical institute of his or her choice within this state. Up to four (4) semesters, or the equivalent thereof, may be taken at a technical institute.

(b) Scholarship benefits shall not accrue under this subchapter to any person if the wounds or injuries suffered by any law enforcement officer, firefighter, emergency medical technician, state highway em-

ployee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee are self-inflicted or if the death is self-induced.

(c) Unless § 6-82-504(e) is applicable, the Arkansas State Claims Commission shall award any scholarship benefit provided by this subchapter at the same time that any death benefit or total and permanent disability benefit is awarded by the commission under the provisions of § 21-5-701 et seq.

History. Acts 1973, No. 521, §§ 1, 2; 1999, No. 1034, § 2; 2001, No. 113, § 2; A.S.A. 1947, §§ 80-3359, 80-3360; Acts 2001, No. 158, § 1; 2007, No. 172, § 1; 1989, No. 190, § 1; 1993, No. 153, § 2; 2007, No. 806, § 3; 1997, No. 547, § 10; 1999, No. 56, § 2;

6-82-504. Awards to children.

(a) In order for a natural child to be eligible to receive a scholarship benefit:

(1) The child must have been born prior to the date of the death or total and permanent disability of the law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee; or

(2) The law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee or the spouse of the law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee must have been pregnant with the child at the time of the death or total and permanent disability of the law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee.

(b) In order for an adopted child to be eligible to receive a scholarship benefit:

(1) The child must have been adopted prior to the date of the death or total and permanent disability of the law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee; or

(2) The child's adoption process must have begun prior to the date of the death or total and permanent disability of the law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee.

(c) In order for a stepchild under nineteen (19) years of age to be eligible to receive a scholarship benefit:

(1) The stepchild must have been listed as a dependent on the federal and state income tax returns of the law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee in each of the five (5) income years immediately prior to the date of the death or total and permanent disability of the law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee; and

(2) The stepchild must have received more than one-half ($\frac{1}{2}$) of his or her financial support from the law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee in each of the five (5) income years immediately prior to the date of the death or total and permanent disability of the law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee.

(d) In order for a stepchild nineteen (19) years of age or older to be eligible to receive a scholarship benefit:

(1) The stepchild must have been listed as a dependent on the federal and state income tax returns of the law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee in each of five (5) income years during the eight (8) years immediately prior to the date of the death or total and permanent disability of the law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, teacher, state parks employee, or state forestry employee; and

(2) The stepchild must have received more than one-half ($\frac{1}{2}$) of his or her financial support from the law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee in each of five (5) income years during the eight (8) years immediately prior to the date of the death or total and permanent disability of the law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee.

(e) If the covered public employee or his or her heirs did not file for the available death or disability benefit, but were otherwise eligible to receive, within the time frame provided in § 21-5-703, then the covered public employee's child or children who would have otherwise been eligible to receive the provided educational scholarship benefit under this section may individually file prior to their twenty-first birthdays a claim to receive the provided educational scholarship benefit.

History. Acts 1973, No. 521, § 3; A.S.A. 1947, § 80-3361; Acts 1993, No. 153, § 3; 1997, No. 547, § 11; 1999, No. 56, § 3; 1999, No. 1034, § 3; 2001, No. 113, § 3; 2003, No. 1473, § 14; 2007, No. 806, § 4.

Publisher's Notes. The introductory language of Acts 2003, No. 1473, § 14, provides, in part, that this section is amended to carry out the purposes of Acts 2001, No. 113.

6-82-505. Limits for scholarship.

(a) No child will be entitled to receive benefits under this subchapter during any semester or quarter when the child has reached twenty-three (23) years of age on or before the first day of the semester or quarter.

(b) No spouse will be eligible for the education benefit if he or she remarries. The benefit will cease at the end of the semester at which the spouse is currently enrolled at the time of the marriage.

History. Acts 1973, No. 521, § 2; A.S.A. 1947, § 80-3360; Acts 1989, No. 190, § 2.

6-82-506. Written application for benefits.

Any person claiming benefits awarded by the Arkansas State Claims Commission under the provisions of this subchapter shall make written application with the Division of Higher Education on forms provided by the division.

History. Acts 1973, No. 521, § 4; 1983 (1st Ex. Sess.), No. 47, § 1; A.S.A. 1947, § 80-3362; Acts 1997, No. 547, § 12; 2019, No. 910, § 2098.

substituted "Division of Higher Education" for "Department of Higher Education" and substituted "division" for "department".

Amendments. The 2019 amendment

6-82-507. Renewal of scholarship.

To retain eligibility for a scholarship benefit under this subchapter, a recipient shall:

(1) Maintain a minimum of a 2.0 grade point average on a 4.0 scholastic grading scale; and

(2) Meet any other continuing eligibility criteria established by the Division of Higher Education.

History. Acts 2009, No. 1217, § 1; 2019, No. 910, § 2099.

substituted "Division of Higher Education" for "Department of Higher Education" in (2).

Amendments. The 2019 amendment

SUBCHAPTER 6 — CHILDREN OF VETERANS, PRISONERS OF WAR, ETC.

SECTION.

6-82-601. Tuition waiver for dependents of certain veterans — Definitions.

SECTION.

6-82-602. [Repealed.]

Effective Dates. Acts 1973, No. 188, § 5: Mar. 2, 1973. Emergency clause provided: "The General Assembly hereby finds and declares that a need exists to provide educational benefits to the dependents of certain Arkansas citizens who are prisoners of war or missing in action. It is therefore declared that an emergency exists, and this Act, being necessary for the public peace, safety and welfare, shall take effect and be in force from and after its passage and approval."

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new de-

partments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-82-601. Tuition waiver for dependents of certain veterans — Definitions.

(a) As used in this section:

(1) "Dependent" means a spouse or any child born or conceived by, legally adopted by, or under the legal guardianship of a prisoner of war or person declared to be missing in action or killed in action or killed on ordnance delivery, or disabled veteran. The dependent child or spouse of a prisoner of war, veteran missing in action, or killed in action or killed on ordnance delivery, or disabled veteran must be a current resident of Arkansas. Stepchildren of the veteran are not eligible unless they have been legally adopted by the veteran or the veteran has been appointed as the legal guardian of the stepchild. A dependent child must meet the definition of dependent child as established by the United States Department of Education;

(2) "Disabled veteran" means a person who has been awarded special monthly compensation by the United States Department of Veterans Affairs for service-connected, one hundred percent (100%) total and permanent disability;

(3) "Ordnance delivery" means the piloting of or flying in an experimental or test aircraft while determining its fitness or ability to perform its military function or mission; and

(4)(A) "Prisoner of war", "person missing in action", "person killed in action", "person killed on ordnance delivery", and "disabled veteran" mean a person who was a resident of the State of Arkansas at the time that person entered the service of the United States Armed Forces or whose official residence is within the State of Arkansas and who, while serving in the United States Armed Forces, has been declared to be a prisoner of war, a person missing in action, or a person killed in action as established by the United States Secretary of Defense after January 1, 1960, or a person killed on ordnance

delivery, or has been declared by the United States Department of Veterans Affairs to be totally and permanently disabled one hundred percent (100%) as a result of service-connected injuries or service-connected medical conditions.

(B) The defined terms under subdivision (a)(4)(A) of this section apply whether or not capture or death occurred during a declared war or as a result of hostile action.

(C) A death as result of injuries received while serving in the United States Armed Forces or Arkansas National Guard is only covered by this statute if the death occurred while on active duty or state active duty.

(b) Each applicant must apply for the Survivors' and Dependents' Educational Assistance program, Chapter 35 of Title 38 of the United States Code, with the United States Department of Veterans Affairs. The applicant must provide the Division of Higher Education with proof of acceptance of the Survivors' and Dependents' Educational Assistance program or non-eligibility into the Survivors' and Dependents' Educational Assistance program upon application to the Survivors' and Dependents' Educational Assistance program.

(c) The Arkansas Higher Education Coordinating Board and the State Board of Education are directed, authorized, and empowered to promulgate and adopt such rules as are necessary to implement the provisions of this section.

(d)(1) Except as provided under subdivision (d)(2) of this section, a dependent of a disabled veteran, a prisoner of war, or a person declared to be missing in action or killed in action, or a person killed on ordnance delivery as defined by the provisions of this section, upon his or her being accepted for enrollment into any private, nonprofit institution of higher education in the State of Arkansas or state-supported institution of higher education in the State of Arkansas, may obtain a bachelor's degree for so long as he or she is eligible with state assistance for tuition, fees, or other charges as provided under this subsection.

(2)(A) The state assistance under this section is limited to the tuition, fees, or other charges that exceed the amount of monetary benefits that the dependent is eligible to receive from the Survivors' and Dependents' Educational Assistance program during the months included in each semester in which the dependent is enrolled.

(B) If the dependent is not eligible for monetary benefits from the Survivors' and Dependents' Educational Assistance program but is eligible for the benefits under this section, the dependent may obtain a bachelor's degree free of tuition, fees, or other charges from a private, nonprofit institution of higher education in this state or a state-supported institution of higher education.

(C) However, the state assistance awarded to a dependent attending a private, nonprofit institution of higher education in this state shall not exceed the maximum amount of state assistance awarded to dependents attending state-supported institutions of higher education.

(e) Once a person qualifies as a dependent under the terms and provisions of this section, there shall be no situation such as the return of the parent or the reported death of the parent that will remove the dependent from the provisions or benefits of this section.

(f) An eligible recipient shall receive a scholarship for one (1) academic year, renewable for up to three (3) additional academic years if the recipient meets continuing eligibility criteria established by the division.

(g) Any person receiving this scholarship as of June 30, 2007, will be grandfathered into the program under the law as stated prior to July 1, 2007.

(h) In compliance with the division's scholarship stacking policy, no student's total financial aid package, which can include multiple scholarships, can exceed the recognized cost of attendance at a higher education institution.

History. Acts 1973, No. 188, §§ 1-3; A.S.A. 1947, §§ 80-3363 — 80-3365; Acts 1987, No. 72, §§ 1, 2; 1989, No. 759, § 1; 2005, No. 2127, § 1; 2007, No. 717, § 1; 2009, No. 1216, § 1; 2019, No. 315, § 406; 2019, No. 462, § 4; 2019, No. 910, §§ 2100-2102; 2021, No. 988, § 1.

Amendments. The 2019 amendment by No. 315 deleted "and regulations" following "rules" in (c).

The 2019 amendment by No. 462 redesignated (a)(4) as (a)(4)(A) through (C); in (a)(4)(A), substituted "United States Armed Forces" for "armed forces" and substituted "United States Secretary of Defense" for "Secretary of Defense of the United States"; rewrote (a)(4)(B); and, in (a)(4)(C), inserted "or Arkansas National

Guard" and added "or state active duty"; and made a stylistic change.

The 2019 amendment by No. 910 substituted "Division of Higher Education" for "Arkansas Department of Higher Education" in (b); and substituted "Division of Higher Education" for "Department of Higher Education" in (f) and (h).

The 2021 amendment inserted "private, nonprofit institution of higher education in the State of Arkansas or" in (d)(1); substituted "may obtain" for "shall be allowed to obtain" in (d)(1) and (d)(2)(B); inserted "a private, nonprofit institution of higher education in this state or" in (d)(2)(B); added (d)(2)(C); and made stylistic changes.

6-82-602. [Repealed.]

Publisher's Notes. This section, concerning children of certain veterans having served between September 16, 1940, and December 31, 1946, was repealed by

Acts 2007, No. 717, § 2. The section was derived from Acts 1965, No. 315, §§ 2, 3; 2005, No. 2127, § 2.

SUBCHAPTER 7 — ARKANSAS LITERACY CORPS

[Repealed.]

SECTION.

6-82-701 — 6-82-706. [Repealed.]

6-82-701 — 6-82-706. [Repealed.]

Publisher's Notes. This subchapter was repealed by Acts 2001, No. 1692, § 7.

The subchapter was derived from the following sources:

6-82-701. Acts 1989, No. 279, § 1.
 6-82-702. Acts 1989, No. 279, § 1.
 6-82-703. Acts 1989, No. 279, § 1.

6-82-704. Acts 1989, No. 279, § 1.
 6-82-705. Acts 1989, No. 279, § 1.
 6-82-706. Acts 1989, No. 279, § 1.

SUBCHAPTER 8 — ARKANSAS NATIONAL GUARD SCHOLARSHIP PROGRAM

[Repealed.]

SECTION.

6-82-801 — 6-82-819. [Repealed.]

6-82-801 — 6-82-819. [Repealed.]

Publisher's Notes. This subchapter was repealed by Acts 1999, No. 1139, § 1. The subchapter was derived from the following sources:

6-82-801. Acts 1989, No. 301, § 1.
 6-82-802. Acts 1989, No. 301, § 2; 1995, No. 1296, § 37.
 6-82-803. Acts 1989, No. 301, § 7.
 6-82-804. Acts 1989, No. 301, § 3.
 6-82-805. Acts 1989, No. 301, § 4.
 6-82-806. Acts 1989, No. 301, § 5.
 6-82-807. Acts 1989, No. 301, § 5.

6-82-808. Acts 1989, No. 301, § 5.
 6-82-809. Acts 1989, No. 301, § 5.
 6-82-810. Acts 1989, No. 301, § 5.
 6-82-811. Acts 1989, No. 301, § 5.
 6-82-812. Acts 1989, No. 301, § 5.
 6-82-813. Acts 1989, No. 301, § 5.
 6-82-814. Acts 1989, No. 301, § 6.
 6-82-815. Acts 1989, No. 301, § 6.
 6-82-816. Acts 1989, No. 301, § 6.
 6-82-817. Acts 1989, No. 301, § 6.
 6-82-818. Acts 1989, No. 301, § 6.
 6-82-819. Acts 1989, No. 301, § 6.

SUBCHAPTER 9 — ARKANSAS OPPORTUNITY SCHOLARSHIP ACT

[Repealed.]

SECTION.

6-82-901 — 6-82-906. [Repealed.]

6-82-901 — 6-82-906. [Repealed.]

Publisher's Notes. This subchapter was repealed by Acts 2001, No. 1692, § 8. The subchapter was derived from the following sources:

6-82-901. Acts 1989, No. 611, § 1.
 6-82-902. Acts 1989, No. 611, § 2.

6-82-903. Acts 1989, No. 611, § 3.
 6-82-904. Acts 1989, No. 611, § 4; 1993, No. 198, § 1.
 6-82-905. Acts 1989, No. 611, § 6; 1993, No. 198, § 2.
 6-82-906. Acts 1989, No. 611, § 6.

SUBCHAPTER 10 — ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM

[Repealed.]

SECTION.

6-82-1001 — 6-82-1011. [Repealed.]

6-82-1001 — 6-82-1011. [Repealed.]

A.C.R.C. Notes. Pursuant to Acts 2009, No. 376, § 58, the amendment of § 6-82-1005(e)(3) by Acts 2009, No. 376, § 56, is

superseded by the repeal of § 6-82-1005 by Acts 2009, No. 605, § 3 and Acts 2009, No. 606, § 3.

Pursuant to Acts 2009, No. 376, § 58, the amendment of § 6-82-1006(d)(1) by Acts 2009, No. 376, § 57, is superseded by the repeal of § 6-82-1006 by Acts 2009, No. 605, § 3 and Acts 2009, No. 606, § 3.

Publisher's Notes. This subchapter was repealed by Acts 2009, Nos. 605 and 606, § 3. The subchapter was derived from the following sources:

6-82-1001. Acts 1991, No. 352, § 1; 1991, No. 362, § 1; 1993, No. 1170, § 1; 1997, No. 977, § 4; 1999, No. 858, § 11; 2003, No. 1798, § 1.

6-82-1002. Acts 1991, No. 352, § 3; 1991, No. 362, § 3; 1997, No. 208, § 4; 1999, No. 858, §§ 1, 2; 2001, No. 1664, § 1; 2001, No. 1836, § 1; 2005, No. 2011, § 1; 2005, No. 2214, § 1.

6-82-1003. Acts 1991, No. 352, § 2; 1991, No. 362, § 2; 2001, No. 1836, § 2.

6-82-1004. Acts 1991, No. 352, § 6; 1991, No. 362, § 6; 1992 (1st Ex. Sess.), No. 47, § 4; 1993, No. 1170, § 2; 1999, No. 858, §§ 3, 12; 2007, No. 341, § 4.

6-82-1005. Acts 1991, No. 352, § 4; 1991, No. 362, § 4; 1991, No. 733, §§ 1, 2; 1992 (1st Ex. Sess.), No. 47, §§ 2, 3; 1993, No. 1170, § 3; 1993, No. 1244, §§ 1, 2; 1995, No. 1296, § 38; 1997, No. 977, § 5; 1999, No. 858, §§ 4-9; 2001, No. 1836, § 3; 2005, No. 2011, §§ 2, 3; 2005, No. 2197, § 3; 2005, No. 2214, §§ 2, 3; 2007, No. 341, § 2; 2007, No. 840, § 1; 2009, No. 376, § 56.

6-82-1006. Acts 1991, No. 352, § 5; 1991, No. 362, § 5; 1995, No. 188, §§ 1, 2; 1995, No. 228, §§ 1, 2; 1997, No. 488, § 1; 1999, No. 858, §§ 10, 13; 2001, No. 1553, § 16; 2001, No. 1836, § 4; 2003, No. 1798, § 2; 2005, No. 2011, § 4; 2005, No. 2214, § 4; 2007, No. 274, § 3; 2007, No. 341, § 3; 2009, No. 376, § 57.

6-82-1007. Acts 2001, No. 1664, § 2.

6-82-1008. Acts 2003, No. 1798, § 3.

6-82-1009. Acts 2003, No. 1798, § 4.

6-82-1010. Acts 2003, No. 1798, § 5.

6-82-1011. Acts 2005, No. 2197, § 4.

SUBCHAPTER 11 — SECOND EFFORT SCHOLARSHIP PROGRAM

[Repealed.]

SECTION.

6-82-1101 — 6-82-1106. [Repealed.]

6-82-1101 — 6-82-1106. [Repealed.]

A.C.R.C. Notes. The repeal of § 6-82-1103 by Acts 2017, No. 1008, § 4, superseded the amendment of that section by Acts 2017, No. 275, § 7. Acts 2017, No. 275, § 7, provided that (b) would read:

“(b) A student shall be eligible for an award from this program if he or she meets all of the following criteria:

“(1) The recipient shall be at least eighteen (18) years of age or a former member of a high school class that has graduated;

“(2) The recipient has been a resident of the State of Arkansas for at least twelve (12) months prior to successful completion of a high school equivalency test;

“(3) The recipient is a citizen of the United States or a permanent resident alien;

“(4) The recipient is accepted for admission at an approved institution of higher education as a freshman, as defined by the Department of Higher Education, and enrolls in an approved institution of higher education within eighteen (18) months

following passage of a high school equivalency test;

“(5) The recipient has passed a high school equivalency test in the calendar year prior to application for the scholarship; and

“(6)(A) The recipient has scored in the top ten (10) of all Arkansans who took a high school equivalency test in the calendar year prior to application for the scholarship, as certified to the Department of Higher Education by the Adult Education Section of the Department of Career Education.

“(B) The Department of Higher Education may award a high school equivalency scholarship to an otherwise eligible student who scored in the top twenty-five (25) on the previous calendar year's high school equivalency test if all test-takers scoring above the applicant on a high school equivalency test:

“(i) Have received a scholarship;

"(ii) Have not applied by the application deadline; or

"(iii) Are otherwise ineligible to receive a scholarship."

Publisher's Notes. This subchapter, concerning the Second Effort Scholarship Program, was repealed by Acts 2017, No. 1008, § 4. The subchapter was derived from the following sources:

6-82-1101. Acts 1991, No. 705, § 1; 1991, No. 717, § 1; 2015, No. 1115, § 13.

6-82-1102. Acts 1991, No. 705, § 2; 1991, No. 717, § 2; 1995, No. 259, § 1; 1995, No. 262, § 1; 1997, No. 208, § 5.

6-82-1103. Acts 1991, No. 705, § 3; 1991, No. 717, § 3; 1995, No. 259, § 2; 1995, No. 262, § 2; 1999, No. 1323, § 45; 2015, No. 1115, § 14; 2017, No. 275, § 7.

6-82-1104. Acts 1991, No. 705, § 4; 1991, No. 717, § 4; 1995, No. 259, § 3; 1995, No. 262, § 3.

6-82-1105. Acts 1991, No. 705, § 5; 1991, No. 717, § 5; 1999, No. 1323, § 46; 2015, No. 1115, § 15.

6-82-1106. Acts 2015, No. 21, § 2.

SUBCHAPTER 12 — LAW ENFORCEMENT OFFICERS

SECTION.

6-82-1201. Purpose.

6-82-1202. [Repealed.]

6-82-1203. [Repealed.]

6-82-1204. Administration.

SECTION.

6-82-1205. Purpose.

6-82-1206. Administration of Arkansas Police Corps Program.

Effective Dates. Acts 1997, No. 1203, § 8: Apr. 8, 1997. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Police Corps Program and Police Corps Scholarship Program, which are operated in large part under federal grants, do not conform with federal requirements and that failure to take immediate appropriate action could work irreparable harm upon the proper administration and provision of these programs. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2003, No. 1296, § 3: Apr. 14, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that it is necessary to designate a lead agency for purposes of obtaining federally funded scholarships under the Arkansas Police Corps Program; that this act establishes the lead agency; and that this act should go into effect immediately in order to be eligible for the federal funds as soon as possible. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-82-1201. Purpose.

It is the purpose of this subchapter to establish the Arkansas Police Corps Planning Commission [abolished] for the purpose of undertaking

the necessary planning and other actions required to enable Arkansas to participate in the federal police corps program.

History. Acts 1991, No. 875, § 1; 1997, No. 1203, § 1; 2001, No. 1692, § 11.

6-82-1202. [Repealed.]

Publisher's Notes. This section, concerning the Arkansas Police Corps Planning Commission, was repealed by Acts 2017, No. 497, § 1. The section was derived from Acts 1991, No. 875, § 2; 1993, No. 315, § 1; 1997, No. 1203, § 2; 1999, No. 1223, § 1; 2001, No. 1692, § 11.

6-82-1203. [Repealed.]

Publisher's Notes. This section, concerning the awarding of scholarships, was repealed by Acts 2001, No. 1692, § 11. The section was derived from Acts 1991, No. 875, § 3; 1993, No. 315, § 2; 1997, No. 1203, § 3.

6-82-1204. Administration.

(a) The Arkansas Police Corps Planning Commission [abolished] is hereby designated as the state agency responsible for implementing any federal law enforcement scholarship program which may be established.

(b) The commission shall have authority to promulgate rules necessary for the administration and operation of any such program in the State of Arkansas.

History. Acts 1991, No. 875, § 4; 2001, No. 1692, § 11; 2019, No. 315, § 407. **Amendments.** The 2019 amendment deleted "and regulations" following "rules"

Publisher's Notes. The provisions of this section may be affected by § 6-82-1206. in (b).

6-82-1205. Purpose.

The purpose of this section and § 6-82-1206 is to establish the lead agency and its authority over the Arkansas Police Corps Program, a federally funded scholarship program designed to employ college-educated police officers in local and state law enforcement agencies and to foster the development and growth of community policing efforts throughout Arkansas.

History. Acts 2003, No. 1296, § 1.

6-82-1206. Administration of Arkansas Police Corps Program.

(a) The Department of Criminal Justice at the University of Arkansas at Little Rock is designated as the state lead agency responsible for implementing any federal scholarships or training programs that fall under the umbrella of the Police Corps Act, Title XX, Subtitle A of the

Violent Crime Control and Law Enforcement Act of 1994, 34 U.S.C. § 12551 et seq.

(b) The department may promulgate rules necessary for the administration and operation of any such programs in the State of Arkansas, including the creation of the Police Corps Advisory Group, which shall:

(1) Serve as the body to review policies imposed by the United States Government and the rules developed by the department for the Arkansas Police Corps Program;

(2) Serve as the selection committee for program participants;

(3) Serve as the body to establish eligibility requirements for the program, within the parameters set by the United States Government;

(4) Serve as the body to establish the participant removal procedures for the program;

(5) Serve as the appeals committee for the program, should a training participant be removed for any reason; and

(6) Perform all other duties as needed.

(c) The chair of the department, who serves as the Director of the Arkansas Police Corps Program, or the director's designee shall serve as an ex officio member and as chair of the advisory group.

(d) Neither the director nor the director's designee shall sit on any appeals panel in cases involving removal of participants from the program.

(e) The advisory group shall meet at the call of the chair.

History. Acts 2003, No. 1296, § 2; deleted "and regulations" following "rules" 2019, No. 315, § 408.

Amendments. The 2019 amendment

SUBCHAPTER 13 — DELTA REGION SCHOLARSHIP PROGRAM

[Repealed.]

SECTION.

6-82-1301 — 6-82-1303. [Repealed.]

6-82-1301 — 6-82-1303. [Repealed.]

Publisher's Notes. This subchapter was repealed by Acts 2001, No. 1692, § 9. The subchapter was derived from the following sources:

6-82-1301. Acts 1995, No. 1237, § 1.

6-82-1302. Acts 1995, No. 1237, § 2.

6-82-1303. Acts 1995, No. 1237, § 3.

SUBCHAPTER 14 — HONORS COLLEGE SCHOLARSHIP PROGRAM

[Repealed.]

SECTION.

6-82-1401 — 6-82-1403. [Repealed.]

6-82-1401 — 6-82-1403. [Repealed.]

Publisher's Notes. This subchapter, concerning the Honors College Scholarship Program, was repealed by Acts 2001, No. 1692, § 10. The subchapter was derived from the following sources:

- 6-82-1401. Acts 1995, No. 1238, § 1.
- 6-82-1402. Acts 1995, No. 1238, § 2.
- 6-82-1403. Acts 1995, No. 1238, § 3.

SUBCHAPTER 15 — ARKANSAS GEOGRAPHICAL CRITICAL NEEDS MINORITY
TEACHER SCHOLARSHIP PROGRAM

- SECTION.
- 6-82-1501. Title.
 - 6-82-1502. Program established — Purpose.
 - 6-82-1503. Eligibility for scholarship — Amount.

- SECTION.
- 6-82-1504. Service requirement for scholarship recipients.
 - 6-82-1505. Rules — Administration — Report.
 - 6-82-1506. Committee.

Effective Dates. Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded sections of this act preceding the emergency clause titled 'Funding and

classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-82-1501. Title.

This subchapter shall be known and may be cited as the "Arkansas Geographical Critical Needs Minority Teacher Scholarship Program Act of 2001".

History. Acts 2001, No. 1731, § 1.

6-82-1502. Program established — Purpose.

- (a) There is established the Critical Needs Minority Teacher Scholarship Program.
- (b) The purpose of the program is to attract qualified minority teachers to the Delta and those geographical areas of the state where there exists a critical shortage of teachers by awarding scholarships to minorities declaring an intention to serve in the teaching field who actually render service to this state while possessing an appropriate teaching license.

History. Acts 2001, No. 1731, § 2;
2003, No. 1746, § 1.

6-82-1503. Eligibility for scholarship — Amount.

(a)(1) The term “minority” when used in this subchapter shall refer to Black Americans, Hispanic Americans, Asian Americans, and Native Americans.

(2) The Native American group includes all persons having origins in any of the original peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.

(b) Any individual who is a minority and who is enrolled in or accepted for enrollment at a baccalaureate degree-granting institution of higher education whose teacher education program is approved by the State Board of Education or at an accredited state-supported community college in the State of Arkansas who expresses in writing an intention to teach in a geographical area of the state in which there exists a critical shortage of teachers, as designated by the state board, shall be eligible for a financial Critical Needs Minority Teacher Scholarship to be applied toward the costs of the individual’s college education, if:

(1) The applicant has a grade point average of 2.5 on a 4.0 scale in high school if the applicant graduated within the five (5) preceding years; and

(2) The applicant scored nineteen (19) or above on the ACT composite or the equivalent as defined by the University of Arkansas at Pine Bluff.

(c)(1) The university is authorized to develop selection criteria through Critical Needs Minority Teacher Scholarship Program rules, which combine an applicant’s ACT superscore, as defined by § 6-85-204, or ACT equivalent score and grade point average in the core curriculum into a selection index.

(2) Notwithstanding the provisions of subdivisions (b)(1) and (2) of this section, this selection index shall be employed as an alternative selection process for applicants who achieve a grade point average below 2.5 on a 4.0 scale or for applicants who have an ACT composite superscore or ACT equivalent score greater than nineteen (19).

(d)(1) The annual amount of the scholarship shall be one thousand five hundred dollars (\$1,500) per year.

(2) Awards made to nonresidents of the state shall not include any amount assessed by the college or university for out-of-state tuition.

(e)(1) Awards granted under the Critical Needs Minority Teacher Scholarship Program shall be available to both full-time and part-time students.

(2) Students enrolling on a full-time basis may receive a maximum of four (4) annual awards.

(3) The maximum number of awards that may be made to students attending school on a part-time basis and the maximum time period for part-time students to complete the number of academic hours necessary to obtain a baccalaureate degree in education shall be established by

rules jointly promulgated by the university and the Division of Higher Education.

(f) Scholarships shall not be based upon an applicant's eligibility for financial aid.

History. Acts 2001, No. 1731, § 3; 2003, No. 1746, § 2; 2019, No. 315, §§ 409, 410; 2019, No. 910, § 2103; 2021, No. 743, § 2.

Amendments. The 2019 amendment by No. 315 deleted "and regulations" following "rules" in (c)(1) and (e)(3).

The 2019 amendment by No. 910 substituted "Division of Higher Education"

for "Department of Higher Education" in (e)(3).

The 2021 amendment, in (c)(1), inserted "superscore, as defined by § 6-85-204" and the second occurrence of "ACT"; in (c)(2), inserted "superscore" and the second occurrence of "ACT"; and made stylistic changes.

6-82-1504. Service requirement for scholarship recipients.

(a) Except in those cases where employment positions may not be available upon completion of licensure requirements, at the beginning of the first school year in which a recipient of a Critical Needs Minority Teacher Scholarship is eligible for employment as a licensed teacher, that person shall begin to render service as a licensed teacher in a public school district in a geographical area of the state where there is a critical shortage of teachers or in the Mississippi Delta, as designated by the Division of Elementary and Secondary Education.

(b)(1) Any person who received four (4) annual awards, or the equivalent of four (4) annual awards, shall render two (2) years' service as a licensed teacher.

(2) Any person who received fewer than four (4) annual awards, or the equivalent of four (4) annual awards, shall render one (1) school semester of service as a licensed teacher for each year that the person received a full-time student scholarship or for the number of academic hours equivalent to one (1) school year, as determined by the University of Arkansas at Pine Bluff, for which a part-time student received a scholarship.

(c) Students receiving a scholarship shall execute a note made payable to the university for an amount equal to the scholarship award each semester that shall bear interest at a rate to be determined by the Division of Higher Education beginning September 1 after completion of the program or immediately after termination of the scholarship loan, whichever is earlier.

(d)(1) Any person failing to complete a program of study which will enable the person to become a licensed teacher shall begin repaying the note according to the note's terms for the sum of all scholarship awards made to that person less the corresponding amount of any awards for which service has been rendered.

(2) Any person failing to complete his or her teaching obligation, as required under subsection (b) of this section, shall begin repaying the note according to the note's terms for the sum of all scholarship awards made to that person less the corresponding amount of any awards for

which service has been rendered, except in the case of a deferral of debt for cause approved by the State Board of Education if there is no employment position immediately available upon a teacher's completion of licensure requirements.

(3) After the period of the deferral, the person shall begin or resume teaching duties as required under this section or shall become liable on the note under this section.

(4) If a claim for payment under subsection (c) of this section is placed in the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(e) The obligations made by the recipient of a scholarship award shall not be voidable by reason of the age of the student at the time of receiving the scholarship.

History. Acts 2001, No. 1731, § 4; 2003, No. 1746, § 3; 2019, No. 910, §§ 2104, 2105. Secondary Education" for "Department of Education" in (a); and substituted "Division of Higher Education" for "Department of Higher Education" in (c).

Amendments. The 2019 amendment substituted "Division of Elementary and

6-82-1505. Rules — Administration — Report.

(a) The University of Arkansas at Pine Bluff and the Division of Higher Education shall jointly promulgate rules necessary for the proper administration of the Critical Needs Minority Teacher Scholarship Program.

(b) The university shall be the administering agency of the program.

(c) If sufficient funds are not available to fully fund scholarship awards to all eligible students, the university shall make the awards to first-time students on a first-come, first-served basis. However, priority consideration shall be given to persons previously receiving awards under the program.

(d) All funds received by the university from the repayment of scholarship awards by program participants shall be deposited into the fund that provides funding for the program.

(e)(1) The university shall make an annual report to the General Assembly.

(2) Each report shall contain a complete enumeration of the:

- (A) Program's activities;
- (B) Scholarships granted;
- (C) Names of persons to whom granted;
- (D) Institutions attended by those receiving the scholarships; and
- (E) Teaching location of applicants who have received their education and become licensed teachers within this state as a result of the scholarships.

(3) The university shall make a full report and account of receipts and expenditures for salaries and expenses incurred under this section.

(4) Upon its records and any published reports, the university shall distinguish among those recipients who:

- (A) Have paid their financial obligations in full;

(B) Have breached their contracts but with the university's permission; and

(C) Have breached their contracts and remain financially indebted to the state.

(f) The requirements of this subchapter are contingent on the funding available for the program.

(g) The university is authorized to determine the necessary procedures for the awarding of forgivable loans should the number of eligible applicants and recipients exceed the funds available, so long as the procedures are consistent with subsection (c) of this section.

History. Acts 2001, No. 1731, § 4; 2003, No. 1746, § 4; 2019, No. 315, § 411; 2019, No. 910, § 2106.

Amendments. The 2019 amendment by No. 315 deleted "and regulations" following "rules" in (a).

The 2019 amendment by No. 910 substituted "Division of Higher Education" for "Department of Higher Education" in (a).

6-82-1506. Committee.

(a) There is established a committee to be known as the Critical Needs Minority Teacher Scholarship Program Committee.

(b) The committee shall consist of five (5) members to be appointed by the Chancellor of the University of Arkansas at Pine Bluff.

(c) The appointed committee members shall be:

(1) Individuals who have demonstrated a commitment to education; and

(2) Residents of the State of Arkansas at the time of appointment and throughout their term.

(d) The members shall be appointed for terms of two (2) years.

(e)(1) If a vacancy occurs in an appointed position for any reason, the vacancy shall be filled by appointment of the chancellor.

(2) The new appointee shall serve for the remainder of the unexpired term.

(f) The chancellor shall designate one (1) of the members to serve as chairperson.

(g)(1) The committee shall meet at times and places the chairperson deems necessary, but no meetings shall be held outside of the State of Arkansas.

(2) Three (3) of the members of the committee shall constitute a quorum for the purpose of transacting business.

(3) All action of the committee shall be by approval of a quorum.

(h) The committee shall:

(1) Select the recipients of the Arkansas Teaching Fellows forgivable loans; and

(2) Perform other duties or functions regarding the Critical Needs Minority Teacher Scholarship Program as may be requested by the chancellor.

(i)(1) The University of Arkansas at Pine Bluff shall provide staff and office space to the committee.

(2)(A) Members of the committee shall serve without pay.

(B) Members of the committee may receive expense reimbursement in accordance with § 25-16-902, to be paid with funds appropriated for administration of the program to the extent money is available.

History. Acts 2003, No. 1746, § 5.

SUBCHAPTER 16 — ARKANSAS WORKFORCE IMPROVEMENT GRANT PROGRAM [Repealed.]

SECTION.

6-82-1601 — 6-82-1610. [Repealed.]
6-82-1611. [Repealed.]

SECTION.

6-82-1612 — 6-82-1614. [Repealed.]

Effective Dates. Acts 2017, No. 316, § 6: Mar. 2, 2017. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the State of Arkansas is in need of a more educated and skilled workforce; that the Arkansas Future Grant Program created by this act will enable more Arkansas residents to obtain the necessary skills and training to drive this state's economy forward; and that this act is immediately necessary to ensure that the Arkansas Future Grant Program is in

place for the 2017-2018 academic year. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-82-1601 — 6-82-1610. [Repealed.]

Publisher's Notes. These sections, concerning the Arkansas Workforce Improvement Grant Program, were repealed by Acts 2017, No. 316, § 2. The sections were derived from the following sources:

6-82-1601. Acts 2003, No. 1796, § 1.
6-82-1602. Acts 2003, No. 1796, § 1; 2005, No. 2129, § 1.
6-82-1603. Acts 2003, No. 1796, § 1.
6-82-1604. Acts 2003, No. 1796, § 1; 2005, No. 2129, § 2; 2015, No. 21, § 3.

6-82-1605. Acts 2003, No. 1796, § 1; 2005, No. 2129, § 3; 2013, No. 1416, § 1; 2015, No. 1115, § 16.

6-82-1606. Acts 2003, No. 1796, § 1.
6-82-1607. Acts 2003, No. 1796, § 1; 2005, No. 2129, § 4.
6-82-1608. Acts 2003, No. 1796, § 1; 2005, No. 2129, § 5.
6-82-1609. Acts 2003, No. 1796, § 1; 2005, No. 2129, § 6.
6-82-1610. Acts 2003, No. 1796, § 1.

6-82-1611. [Repealed.]

Publisher's Notes. This section, concerning transfer to another school, was repealed by Acts 2005, No. 2129, § 7. The

section was derived from Acts 2003, No. 1796, § 1.

6-82-1612 — 6-82-1614. [Repealed.]

Publisher’s Notes. These sections, concerning the Arkansas Workforce Improvement Grant Program, were repealed by Acts 2017, No. 316, § 3. The sections were derived from the following sources:

6-82-1612. Acts 2003, No. 1796, § 1.
6-82-1613. Acts 2003, No. 1796, § 1; 2005, No. 2129, § 8.
6-82-1614. Acts 2003, No. 1796, § 1.

SUBCHAPTER 17 — HIGHER EDUCATION OPPORTUNITIES GRANT PROGRAM

[Repealed.]

SECTION.
6-82-1701 — 6-82-1710. [Repealed.]

A.C.R.C. Notes. Acts 2017, No. 316, § 5, provided: “An eligible student who is a Higher Education Opportunities Grant recipient as of the effective day of this act [March 2, 2017] shall continue to receive the grant under § 6-82-1701 et seq., as it existed on January 1, 2017.”

Effective Dates. Acts 2017, No. 316, § 6: Mar. 2, 2017. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the State of Arkansas is in need of a more educated and skilled workforce; that the Arkansas Future Grant Program created by this act will enable more Arkansas residents to obtain the necessary skills and training to drive this state’s

economy forward; and that this act is immediately necessary to ensure that the Arkansas Future Grant Program is in place for the 2017-2018 academic year. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

6-82-1701 — 6-82-1710. [Repealed.]

Publisher’s Notes. This subchapter, concerning the Higher Education Opportunities Grant Program, was repealed by Acts 2017, No. 316, § 4. The subchapter was derived from the following sources:

6-82-1701. Acts 2007, No. 1030, § 1.
6-82-1702. Acts 2007, No. 1030, § 1; 2009, No. 1213, § 1; 2015, No. 865, § 12; 2015, No. 1115, § 17.
6-82-1703. Acts 2007, No. 1030, § 1.

6-82-1704. Acts 2007, No. 1030, § 1; 2009, No. 1213, § 2.
6-82-1705. Acts 2007, No. 1030, § 1; 2009, No. 1213, § 3.
6-82-1706. Acts 2007, No. 1030, § 1.
6-82-1707. Acts 2007, No. 1030, § 1.
6-82-1708. Acts 2007, No. 1030, § 1.
6-82-1709. Acts 2007, No. 1030, § 1.
6-82-1710. Acts 2015, No. 21, § 4.

SUBCHAPTER 18 — ARKANSAS FUTURE GRANT PROGRAM

SECTION.
6-82-1801. Definitions.
6-82-1802. Establishment — Eligibility.
6-82-1803. Arkansas Future Grant.

SECTION.
6-82-1804. Recipients.
6-82-1805. Rules.

A.C.R.C. Notes. Acts 2017, No. 316, § 5, provided: “An eligible student who is a Higher Education Opportunities Grant recipient as of the effective day of this act [March 2, 2017] shall continue to receive the grant under § 6-82-1701 et seq., as it existed on January 1, 2017.”

Effective Dates. Acts 2017, No. 316, § 6: Mar. 2, 2017. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that the State of Arkansas is in need of a more educated and skilled workforce; that the Arkansas Future Grant Program created by this act will enable more Arkansas residents to obtain the necessary skills and training to drive this state’s economy forward; and that this act is immediately necessary to ensure that the Arkansas Future Grant Program is in place for the 2017-2018 academic year. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during

which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded sections of this act preceding the emergency clause titled ‘Funding and classification of cabinet-level department secretaries’ and ‘Transformation and Efficiencies Act transition team’ should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

6-82-1801. Definitions.

As used in this subchapter:

(1) “Approved institution of higher education” means an institution of higher education approved by the Division of Higher Education to participate in the Arkansas Future Grant Program and that is:

- (A) A state-supported two-year or four-year college or university;
- (B) A state-supported technical institute;
- (C) An approved state-supported school of nursing; or
- (D) A private, nonprofit two-year or four-year college or university;

(2) “Approved state-supported school of nursing” means a state-supported school of nursing with its primary headquarters located in Arkansas that:

- (A) Prepares students as registered nurses;
- (B) Grants nursing diplomas;
- (C) Is eligible to participate in the federal student aid programs of the Higher Education Act of 1965, 20 U.S.C. § 1070 et seq.;
- (D) Is approved by the Arkansas State Board of Nursing;
- (E) Has been approved by the division as eligible to participate in the Arkansas Future Grant Program; and
- (F) Is not a two-year or four-year college or university;

(3) “Federal student financial assistance” means scholarships or grants awarded to a student as a result of:

- (A) An approved Free Application for Federal Student Aid (FAFSA), including without limitation a Pell Grant; or
- (B) The student's or other family member's service in the United States Armed Forces, including without limitation the Army National Guard or Air National Guard;
- (4) "Private scholarship" means a scholarship or grant awarded by a private entity or donor; and
- (5) "State-supported student financial assistance" means a state-supported scholarship, grant, tuition waiver, or tuition reimbursement funded with state funds or net proceeds from the state lottery awarded by:
 - (A) The division; or
 - (B) A scholarship or grant awarded by an approved institution of higher education in this state funded, in whole or in part, by state funds, including without limitation:
 - (i) Scholarships awarded on the basis of entrance exam scores or high school academic achievement;
 - (ii) Tuition waivers based on age, military service, occupation, or other factors;
 - (iii) Performance scholarships for band, musical performing groups, arts, theater, forensics, and similar activities that are not awarded on the basis of entrance exam scores or high school academic achievement; and
 - (iv) Any other publicly funded program under which students are not charged or are reimbursed by the approved institution of higher education for tuition, fees, books, or other costs of attendance.

History. Acts 2017, No. 316, § 1; 2019, No. 910, §§ 2107-2109; 2021, No. 388, § 1.

Amendments. The 2019 amendment substituted "Division of Higher Education" for "Department of Higher Education" throughout the section. The 2021 amendment added (1)(D).

6-82-1802. Establishment — Eligibility.

- (a) There is established the Arkansas Future Grant Program within the Division of Higher Education.
- (b) A student is eligible for an Arkansas Future Grant if the student is an Arkansas resident who:
 - (1) Meets one (1) of the following requirements:
 - (A) Has either:
 - (a) Graduated from an Arkansas:
 - (a) Public high school;
 - (b) Private high school; or
 - (c) Home school under § 6-15-501 et seq.; or
 - (ii) Received a high school equivalency diploma approved by the Adult Education Section; or
 - (B) Verifies that he or she has resided in Arkansas for the three (3) years immediately preceding application for the grant and has either:
 - (i) Graduated from an out-of-state:
 - (a) Public high school;

- (b) Private high school; or
- (c) Home school recognized by another state; or
- (ii) Received a high school equivalency diploma approved by another state;
- (2) Is enrolled part-time or full-time at an approved institution of higher education in a program of study that leads to an associate degree or a certification in a:
 - (A) Science, technology, engineering, accounting, finance, nursing, education, or mathematics field, including without limitation computer science, information technology, data analysis, or graphic design;
 - (B) Regional high-demand field; or
 - (C) State high-demand field; and
- (3) Has completed and submitted to the United States Department of Education a Free Application for Federal Student Aid (FAFSA) or a subsequent application required by the United States Department of Education for federal financial aid.
- (c) A student may continue to be eligible until the student has:
 - (1) Received the grant for five (5) academic semesters;
 - (2) Obtained an associate degree;
 - (3) Failed to maintain satisfactory academic progress, as determined by the approved institution of higher education in which the student is enrolled; or
 - (4) Failed to complete the mentoring or community service requirements under § 6-82-1804.

History. Acts 2017, No. 316, § 1; 2019, No. 618, § 1; 2019, No. 910, §§ 2110, 2111.

Amendments. The 2019 amendment by No. 618, in (b)(2)(A), inserted “accounting, finance, nursing, education”, inserted “without limitation”, and added “information technology, data analysis, or graphic design”; and added (b)(2)(C).

The 2019 amendment by No. 910 substituted “Division of Higher Education” for “Department of Higher Education” in (a); and substituted “Adult Education Section of the Division of Workforce Services” for “Department of Career Education” in (b)(1)(A)(ii).

6-82-1803. Arkansas Future Grant.

- (a)(1) An Arkansas Future Grant shall be in an amount equal to the tuition, fees, and other charges incurred by a student who meets the requirements under § 6-82-1802 to attend an approved institution of higher education less the amount the student receives in:
- (A) State-supported student financial assistance;
 - (B) Federal student financial assistance; and
 - (C) Private scholarships.
- (2) If the approved institution of higher education in which the student is enrolled is a state-supported four-year institution of higher education or a private, nonprofit four-year institution of higher education, the total amount of tuition, fees, and other charges under subdivision (a)(1) of this section shall be calculated as the average cost

of tuition, fees, and other charges at approved institutions of higher education that are state-supported two-year institutions of higher education or private, nonprofit two-year institutions of higher education.

(b) The Division of Higher Education shall disburse the grant directly to the approved institution of higher education.

(c) The division shall award grants under this subchapter in the order in which the division receives applications from eligible students.

History. Acts 2017, No. 316, § 1; 2019, No. 910, § 2112; 2021, No. 388, § 2.

Amendments. The 2019 amendment substituted "Division of Higher Education" for "Department of Higher Education" in (b); and substituted "division" for "department" twice in (c).

The 2021 amendment, in (a)(2), inserted "state-supported four-year institution of higher education or a private, nonprofit" and "state-supported two-year institutions of higher education or private, nonprofit".

6-82-1804. Recipients.

(a) A student who receives an Arkansas Future Grant shall enter into a written agreement with the Division of Higher Education to:

(1)(A) Receive monthly mentoring from a mentor from an organization determined by the Division of Higher Education.

(B) A mentor under subdivision (a)(1)(A) of this section shall:

(i) Receive annual mentoring training:

(a) Developed by the Division of Higher Education; and

(b) Provided by a local volunteer group approved by the Division of Higher Education; and

(ii) Certify to the Division of Higher Education that at least one (1) time each semester the mentor has provided mentoring services by telephone, email, or in person to each student he or she is mentoring;

(2)(A) Complete at least ten (10) hours of community service each semester the student receives a grant.

(B)(i) A student may select a community service project that meets requirements developed by the Division of Higher Education.

(ii) An approved institution of higher education may provide community services opportunities designed to benefit the approved institution of higher education community or the broader local community.

(C) A student shall certify his or her community service to the approved institution of higher education by the last regular day of the semester the student received the grant; and

(3)(A) Reside in this state for three (3) consecutive years and be employed beginning within six (6) months after receiving an associate degree or a certification.

(B) The Division of Higher Education may defer the requirement under subdivision (a)(3)(A) of this section if:

(i) The Division of Higher Education, in consultation with the Division of Workforce Services, determines that there was no employ-

ment position available that would reasonably enable the student to meet this requirement; or

(ii) Special circumstances as determined by the Division of Higher Education exist.

(C) After the period of deferral, the student shall begin or resume working in this state or become subject to repayment under subsection (b) of this section.

(b) The written agreement under subsection (a) of this section shall provide that the grant converts into a loan and the student shall repay the grant amount:

(1) On a pro rata basis at an interest rate and on a schedule as determined by the Division of Higher Education for each year the student does not reside in this state for three (3) consecutive years and become employed beginning within six (6) months after receiving an associate degree or a certification; or

(2) In its entirety at an interest rate and on a schedule as determined by the Division of Higher Education if the recipient does not comply with the written agreement under subsection (a) of this section.

History. Acts 2017, No. 316, § 1; 2019, No. 618, §§ 2, 3; 2019, No. 910, §§ 166, 2113.

Amendments. The 2019 amendment by No. 618, substituted “semester” for “calendar month” in (a)(1)(B)(ii); and substituted “ten (10)” for “fifteen (15)” in (a)(2)(A).

The 2019 amendment by No. 910 substituted “Division of Workforce Services” for “Department of Workforce Services” in (a)(3)(B)(i); and substituted “Division of Higher Education” for “Department of Higher Education” throughout the section.

6-82-1805. Rules.

The Division of Higher Education shall promulgate rules to implement this subchapter.

History. Acts 2017, No. 316, § 1; 2019, No. 910, § 2114.

Amendments. The 2019 amendment

substituted “Division of Higher Education” for “Department of Higher Education”.

SUBCHAPTER 19 — SCHOLARSHIPS FOR TEACHERS IN HIGH-NEED SUBJECT AREAS

SECTION.

6-82-1901. Scholarships for teachers in high-need subject areas.

Effective Dates. Acts 2019, No. 910, § 6346(b); July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that

these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncodified sections of this act preceding the emergency clause titled ‘Funding and classification of cabinet-level department secretaries’ and ‘Transformation and Effi-

ciencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is

declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-82-1901. Scholarships for teachers in high-need subject areas.

(a)(1) A recipient of a scholarship under this subchapter who meets the requirements under subsection (b) of this section is eligible for a scholarship award of:

(A) Five thousand dollars (\$5,000) for the academic year in which the recipient either:

(i) Has earned at least fifty-seven (57) semester credit hours but less than eighty-seven (87) semester credit hours; or

(ii) Is classified as a junior by the approved institution of higher education in which the recipient is enrolled; and

(B) Five thousand dollars (\$5,000) for the academic year in which the recipient either:

(i) Has earned at least eighty-seven (87) semester credit hours but no more than one hundred twenty (120) semester credit hours unless the recipient is enrolled in a baccalaureate degree program that requires more than one hundred twenty (120) semester credit hours; or

(ii) Is classified as a senior by the approved institution of higher education in which the recipient is enrolled.

(2) A recipient is eligible to receive a maximum aggregate scholarship award of ten thousand dollars (\$10,000) under subdivision (a)(1) of this section.

(b) To be eligible for a scholarship award under subdivision (a)(1) of this section, a recipient shall:

(1) Maintain a postsecondary grade point average of 3.0 or higher on a 4.0 scale at an approved institution of higher education;

(2) Be enrolled in a teacher education program at a four-year approved institution of higher education;

(3) Complete and submit to the United States Department of Education a Free Application for Federal Student Aid (FAFSA) or a subsequent application required by the United States Department of Education for federal financial aid; and

(4)(A) Enter into a written agreement with the Division of Higher Education to teach at a public school for a minimum of five (5) consecutive years in a high-need subject area as determined under subdivision (b)(4)(B) of this section.

(B) A recipient shall be deemed to be teaching in a high-need subject area if the subject area in which the recipient is employed to teach was determined by the Division of Elementary and Secondary Education to be a high-need subject area in:

(i) The year the recipient entered into the agreement with the Division of Higher Education under subdivision (b)(4)(A) of this section;

(ii) Any year the recipient received a scholarship award under this subchapter; or

(iii) The year the recipient is licensed as a teacher by the State Board of Education.

(c) The written agreement entered into by the recipient and the Division of Higher Education under subdivision (b)(3) of this section shall provide that the recipient:

(1) Shall seek licensure as a teacher from the State Board of Education within one (1) year of completing the teacher education program and earning a degree; and

(2) Shall repay the scholarship award amount:

(A) On a pro rata basis at an interest rate and on a schedule as determined by the Division of Higher Education for each year the recipient does not teach at a public school in a high-need subject area if the recipient does not teach at a public school in a high-need subject area as determined by the Division of Elementary and Secondary Education for five (5) consecutive years after first becoming employed as a licensed teacher; or

(B) In its entirety at an interest rate and on a schedule as determined by the Division of Higher Education if the recipient does not:

(i) Obtain licensure as a teacher from the State Board of Education within one (1) year of completing the teacher education program and earning a degree;

(ii) Begin work at a public school as a licensed teacher in a high-need subject area, as determined by the Division of Elementary and Secondary Education, in the academic year immediately following becoming licensed; or

(iii) Teach at a public school in a high-need subject area as determined by the Division of Elementary and Secondary Education in the recipient's first year as a licensed teacher.

(d)(1) The Division of Higher Education may defer the requirements under subdivisions (c)(2)(B)(ii) and (iii) of this section if the Division of Higher Education, in consultation with the Division of Elementary and Secondary Education, determines that there was no employment position available at a public school that would reasonably enable the recipient to meet the requirements.

(2) After the period of deferral, the recipient shall begin or resume teaching at a public school in a high-need subject area or become subject to repayment under subdivision (c)(2) of this section.

(e)(1) By March 1 of each year, the Division of Elementary and Secondary Education shall provide to the Division of Higher Education a maximum on the number of scholarships that should be awarded under this subchapter for the following academic year based on the projected needs of licensed teachers at public schools in high-need subject areas.

(2) The Division of Higher Education shall not award for an academic year more scholarships than the maximum number provided by the Division of Elementary and Secondary Education under subdivision (e)(1) of this section.

(f) If the Division of Higher Education receives applications from more qualified applicants than the number of scholarships available or if funds are not available to award scholarships to all qualified applicants, the Division of Higher Education shall award the scholarships on a competitive basis as determined by the Division of Higher Education.

(g) If a recipient of a scholarship under this subchapter withdraws from an approved institution of higher education so that under the rules of that approved institution of higher education the recipient is entitled to a refund of any tuition, fees, or other charges, the approved institution of higher education shall pay the refund to which the recipient may be entitled to the Division of Higher Education to the extent of any amount the Division of Higher Education has paid to the recipient for that academic year.

(h) The Division of Higher Education shall promulgate rules to implement this subchapter.

History. Acts 2017, No. 934, § 1; Acts 2019, No. 910, §§ 2115-2121; 2021, No. 331, § 3.

Amendments. The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Education” and “Division of Elementary and Secondary Education” for “Department of Education” throughout the section.

The 2021 amendment inserted (b)(3); redesignated former (b)(3) as (b)(4); and updated internal references.

SUBCHAPTER 20 — GRADUATE MEDICAL EDUCATION RESIDENCY EXPANSION BOARD

SECTION.	SECTION.
6-82-2001. Graduate Medical Education Residency Expansion Board.	6-82-2004. Priority of planning grants — Adjustment of amounts.
6-82-2002. Planning grants — Definition.	6-82-2005. Planning grants for additional years of residency.
6-82-2003. Planning grants for program expansion or new programs.	

6-82-2001. Graduate Medical Education Residency Expansion Board.

(a) There is established the Graduate Medical Education Residency Expansion Board, which shall administer the program under this subchapter and shall be composed of:

(1) One (1) representative from each medical school institution in Arkansas;

(2) One (1) physician member appointed by the Arkansas State Medical Board, giving preference to a physician who has received a

rural medical practice loan, a community match loan, or an income incentive;

(3) Two (2) representatives appointed by the Arkansas Hospital Association, Inc.; and

(4) One (1) representative from the Accreditation Council for Graduate Medical Education-designated sponsoring institution in this state that has the largest number of residency positions approved by the Accreditation Council for Graduate Medical Education.

(b) The Graduate Medical Education Residency Expansion Board shall:

(1) Promulgate rules necessary to execute this subchapter, including without limitation rules that address the requirements and are in conformance with the requirements of the Arkansas Administrative Procedure Act, § 25-15-201 et seq.;

(2) Prescribe forms for and regulate the submission of grant applications;

(3) Determine the eligibility of applicants;

(4) Manage, operate, and control all funds and property appropriated or otherwise contributed for this purpose;

(5) Accept gifts, grants, bequests, or devises and apply them as a part of the program under this subchapter;

(6) Sue and be sued as the Graduate Medical Education Residency Expansion Board; and

(7) Accept moneys from federal programs that may be used for furtherance of the purposes of this subchapter.

(c) The members of the Graduate Medical Education Residency Expansion Board may receive expense reimbursement and stipends in accordance with § 25-16-901 et seq.

(d) The Division of Higher Education shall administer the Graduate Medical Education Fund under § 19-5-1265 and disburse the funds at the direction of the Graduate Medical Education Residency Expansion Board under this subchapter.

(e) The term of office of a member of the Graduate Medical Education Residency Expansion Board shall be for a single term of three (3) years.

History. Acts 2019, No. 854, § 1; 2021, No. 1080, §§ 1, 2.

Amendments. The 2021 amendment substituted "One (1) physician member"

for "Two (2) physician members" in (a)(2); added (a)(4) and (e); and made stylistic changes.

6-82-2002. Planning grants — Definition.

(a) As used in this subchapter, a "planning grant" is a grant awarded by the Graduate Medical Education Residency Expansion Board to eligible entities and individuals under this subchapter.

(b) The board shall:

(1) Allocate funds appropriated for purposes of this subchapter;

(2) Award a one-time planning grant under this section to an entity in this state that:

(A) Is in the process of creating a graduate medical education program; or

(B) Is expanding an existing graduate medical education program;

(3) Award planning grants on a competitive basis according to the criteria adopted by the board under its rules; and

(4) Determine the number of planning grants awarded and the amount of each planning grant.

(c)(1) An application for a planning grant under this section shall be submitted by an entity to the board no later than July 15 of the year preceding the year for which the planning grant will be used.

(2) The board shall award a planning grant to an eligible entity under this section no later than August 15 of the year in which the eligible entity's application was submitted.

(d) An entity that is awarded a planning grant under this section and establishes additional first-year residency positions after the receipt of a planning grant is eligible for additional funds for each position established.

History. Acts 2019, No. 854, § 1; 2021, No. 1080, § 3.

Amendments. The 2021 amendment, in (b)(2)(A), substituted "Is in the process of creating" for "Has never had" and sub-

stituted "or" for "and" at the end; and, in (b)(2)(B), substituted "Is expanding an existing" for "Is eligible for Medicare funding of" and added "program".

6-82-2003. Planning grants for program expansion or new programs.

(a) The Graduate Medical Education Residency Expansion Board shall award planning grants to enable entities with existing graduate medical education programs to:

(1) Increase the number of first-year residency positions; and

(2) Provide for the establishment of new graduate medical education programs with first-year residency positions.

(b) The board shall determine the number of planning grants awarded under this section and the amount of each planning grant awarded under this section.

(c) A planning grant under this section shall be used to support the direct resident costs to the graduate medical education program, including without limitation stipends and benefits.

(d) An entity applying for a planning grant under this section shall:

(1) Include a plan for receiving accreditation for the increased number of residency positions or for the new graduate medical education program, as applicable; and

(2) Be submitted to the board no later than October 1 preceding the academic year for which the planning grant is made.

(e) The board shall:

(1) Award a planning grant under this section no later than January 1 of the year in which the planning grant will be used; and

(2) Distribute a planning grant amount for a residency position under this section only upon receiving verification that the applicable residency position has been filled.

(f)(1) A planning grant awarded under this section shall be in effect for no more than three (3) consecutive fiscal years.

(2) For each first-year residency position for which an entity with a graduate medical education program receives an initial planning grant under this section, the board shall award the entity with the graduate medical education program an equal planning grant amount for the following fiscal year, not to exceed three (3) fiscal years.

History. Acts 2019, No. 854, § 1.

6-82-2004. Priority of planning grants — Adjustment of amounts.

(a) If the Graduate Medical Education Residency Expansion Board determines that the number of first-year residency positions proposed by eligible applicants under § 6-82-2003 exceeds the amount of funding appropriated for the planning grants under this subchapter, the board:

(1) May give priority for up to fifty percent (50%) of the funded first-year residency positions to be in:

(A) Primary care; or

(B) A field in which this state has less than eighty percent (80%) of the national average of physicians per one hundred thousand (100,000) people, as determined by the board based on the Association of American Medical Colleges State Physician Workforce Data Report; and

(2) Shall not reduce planning grant amounts awarded for each resident position, but may proportionately reduce the number of positions funded for each graduate medical education program.

(b) If the board determines that, based on the applications it has received for planning grants under § 6-82-2003, the entire appropriation for planning grants under this subchapter shall not be awarded for a particular year, the board may transfer and use the funds appropriated to award planning grants under § 6-82-2002.

History. Acts 2019, No. 854, § 1; 2021, No. 1080, § 4.

Amendments. The 2021 amendment deleted “primary care or other critical

shortage areas in this state” following “residency positions to be in” in (a)(1); and added (a)(1)(A) and (a)(1)(B).

6-82-2005. Planning grants for additional years of residency.

(a) If the Graduate Medical Education Residency Expansion Board determines that funds appropriated under this subchapter are available after all eligible planning grant applications under §§ 6-82-2002 and 6-82-2003 have been funded, the board shall award planning grants from excess funds to support medical residents who:

(1) Have completed at least three (3) years of residency; and

(2) Are enrolled in a residency program in a field in which this state has less than eighty percent (80%) of the national average of physicians per one hundred thousand (100,000) people, as determined by the board.

(b) The board shall determine the following with respect to planning grants under this section:

- (1) The amount of a planning grant awarded under this section;
- (2) The number of planning grants awarded under this section; and
- (3) The residency fields in which recipients of planning grants under this section work.

(c) A planning grant under this section shall be used to support the direct resident costs to the graduate medical education program, including without limitation stipends and benefits.

(d) The board shall distribute a planning grant amount for a residency position under this section only upon receiving verification that the applicable residency position has been filled.

History. Acts 2019, No. 854, § 1.

SUBCHAPTER 21 — ARKANSAS FORESTERS FOR THE FUTURE SCHOLARSHIP PROGRAM ACT OF 2021

SECTION.
6-82-2101. Title.
6-82-2102. Establishment.

SECTION.
6-82-2103. Eligibility.

6-82-2101. Title.

This subchapter shall be known and may be cited as the “Arkansas Foresters for the Future Scholarship Program Act of 2021”.

History. Acts 2021, No. 399, § 1.

6-82-2102. Establishment.

There is created and established a program to be known as the “Arkansas Foresters for the Future Scholarship Program”.

History. Acts 2021, No. 399, § 1.

6-82-2103. Eligibility.

(a) An individual is eligible for an Arkansas Foresters for the Future Scholarship under this subchapter if the individual has enrolled:

- (1) As a full-time first-time freshman in a state-supported institution of higher education; and
- (2) In a forestry program of study that is accredited by the Society of American Foresters and is within the state-supported institution of higher education in which the individual is enrolled.

(b)(1) To be considered as a recipient of the Arkansas Foresters for the Future Scholarship under this subchapter, an individual shall submit:

(A) An approved application; and

(B) A high school transcript.

(2) The application to be submitted by individuals under subdivision (b)(1)(A) of this section shall be created and approved by the Department of Agriculture, Forestry Division.

(3) The division may select individuals who have submitted the required application materials under subdivision (b)(1) of this section for interviews before choosing the recipient of the Arkansas Foresters for the Future Scholarship under this subchapter.

(c) To maintain eligibility for an Arkansas Foresters for the Future Scholarship under this subchapter, a recipient shall maintain a full-time status as a freshman, sophomore, junior, or senior in the forestry program of study within the state-supported institution of higher education in which the individual is enrolled.

History. Acts 2021, No. 399, § 1.

CHAPTER 83

TAX-DEFERRED TUITION SAVINGS PROGRAM

[Repealed.]

SECTION.

6-83-101 — 6-83-110. [Repealed.]

6-83-101 — 6-83-110. [Repealed.]

A.C.R.C. Notes. The amendment of § 6-83-107 by Acts 1999, No. 1126 was deemed superseded by the repeal of this subchapter by Acts 1999, No. 996. The amendment deleted “contribution” preceding “distribution or earnings” in the first sentence in (a).

Publisher's Notes. This chapter was repealed by Acts 1999, No. 996, § 15. The chapter was derived from the following sources:

6-83-101. Acts 1997, No. 1309, § 1.

6-83-102. Acts 1997, No. 1309, § 7.

6-83-103. Acts 1997, No. 1309, § 2.

6-83-104. Acts 1997, No. 1309, § 3.

6-83-105. Acts 1997, No. 1309, § 4.

6-83-106. Acts 1997, No. 1309, § 6.

6-83-107. Acts 1997, No. 1309, § 5;
1999, No. 1126, § 12.

6-83-108. Acts 1997, No. 1309, § 8.

6-83-109. Acts 1997, No. 1309, § 9.

6-83-110. Acts 1997, No. 1309, § 10.

CHAPTER 84

ARKANSAS BRIGHTER FUTURE FUND PLAN

SECTION.

6-84-101. Title.

6-84-102. Purpose.

SECTION.

6-84-103. Definitions.

SECTION.

- 6-84-104. Creation of Arkansas Brighter Future Fund Plan Trust.
- 6-84-105. Administration — Authority — Powers.
- 6-84-106. Investment direction.
- 6-84-107. Accounts.
- 6-84-108. Naming of designated beneficiary and transfers of accounts.

SECTION.

- 6-84-109. Account withdrawals.
- 6-84-110. Prohibitions.
- 6-84-111. Funds exempt from tax — Definitions.
- 6-84-112. Limitation on liability.
- 6-84-113. Liberal construction.
- 6-84-114. Aspiring Scholars Matching Grant Program.

Effective Dates. Acts 2003, No. 515, § 2: effective for tax years beginning on or after January 1, 2003.

Acts 2003, No. 663, § 14: effective for tax years beginning on and after January 1, 2003.

Acts 2011, No. 787, § 36, provided: "Subdivision (14)(B) of Section 12, subdivision (a)(1)(B) of Section 16, Section 17, Section 20, and Section 35 shall be effective for tax years beginning on and after January 1, 2010. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, subdivision (14)(A) of Section 12, Sections 13, 14, 15, subdivisions (a)(1)(A) and (a)(2) of Section 16, Sections 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 shall be effective for tax years beginning on and after January 1, 2011."

Acts 2015, No. 580, § 21: effective for tax years beginning on or after January 1, 2014.

Acts 2017, No. 155, § 25: effective for tax years beginning on and after January 1, 2015.

Acts 2017, No. 547, § 2: Mar. 21, 2017. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act amends the powers and authority of the members of the Section 529 Plan Review Committee to clarify ambiguities in the law; that clarification of the law is necessary for the efficient and effective operation of the Arkansas Tax-Deferred Tuition Savings Program; and that this act is immediately necessary because it is in the best interests of the state and Arkansas residents to provide for the most efficient use of state resources in managing and

operating the Arkansas Tax-Deferred Tuition Savings Program. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Identical Acts 2018 (2nd Ex. Sess.), Nos. 8 and 15, § 6: effective for tax years beginning on or after January 1, 2018.

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded sections of this act preceding the emergency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

6-84-101. Title.

This chapter shall be known and may be cited as the “Arkansas Brighter Future Fund Plan Act”.

History. Acts 1999, No. 996, § 1; 2003, No. 515, § 1; 2021, No. 966, § 1.

Amendments. The 2021 amendment

substituted “Arkansas Brighter Future Fund Plan Act” for “Arkansas Tax-Deferred Tuition Savings Program Act”.

6-84-102. Purpose.

It is the intent and purpose of this chapter to create and establish the Arkansas Brighter Future Fund Plan pursuant to 26 U.S.C. § 529, as in effect on January 1, 2020, to be administered by the Section 529 Plan Review Committee through the adoption of rules for the administration of the plan.

History. Acts 1999, No. 996, § 2; 2003, No. 515, § 1; 2007, No. 218, § 1; 2011, No. 787, § 1; 2015, No. 580, § 1; 2017, No. 155, § 1; 2017, No. 884, § 1; 2018 (2nd Ex. Sess.), No. 8, § 1; 2018 (2nd Ex. Sess.), No. 15, § 1; 2019, No. 315, § 412; 2021, No. 966, § 2.

Amendments. The 2017 amendment by No. 155 substituted “January 1, 2017” for “January 1, 2015”.

The 2017 amendment by No. 884 substituted “January 1, 2017” for “January 1, 2015”.

The 2018 (2nd Ex. Sess.) amendment by identical acts Nos. 8 and 15 substituted “January 1, 2018” for “January 1, 2017”.

The 2019 amendment deleted “and regulations” following “rules”.

The 2021 amendment substituted “Arkansas Brighter Future Fund Plan” for “Arkansas Tax-Deferred Tuition Savings Program”, substituted “January 1, 2020” for “January 1, 2018”, and substituted “plan” for “program” following “administration of the”.

6-84-103. Definitions.

As used in this chapter:

(1) “Account” means an account established in accordance with this chapter;

(2) “Account owner” means the person who, under this chapter or the rules promulgated by the Section 529 Plan Review Committee, is entitled to select or change the designated beneficiary of an account, to designate any person other than the designated beneficiary to whom funds may be paid from the account, or to receive distributions from the account if no other person is designated;

(3) “Act” means the Arkansas Brighter Future Fund Plan Act, § 6-84-101 et seq.;

(4)(A) “Arkansas Brighter Future Fund Plan Trust” or “trust” means the trust created under § 6-84-104.

(B) Participation in the trust shall be open to Arkansas residents and nonresidents alike;

(5) “Committee” means the Section 529 Plan Review Committee, provided for in § 6-84-105, which shall oversee the administration of the Arkansas Brighter Future Fund Plan and ensure that the plan complies with the provisions of this chapter and acts in accordance with 26 U.S.C. § 529, as in effect on January 1, 2020;

(6) "Contribution" means:

(A) Any payment directly allocated to an account for the benefit of a designated beneficiary or used to pay administrative fees associated with an account; and

(B) That portion of any rollover amount treated as a contribution under 26 U.S.C. § 529, as in effect on January 1, 2020;

(7) "Contributor" means any person making a contribution to an account;

(8) "Designated beneficiary" means, except as provided in § 6-84-108, the individual designated at the time the account is opened as having the right to receive a qualified withdrawal for the payment of qualified higher education expenses or, if the designated beneficiary is replaced in accordance with § 6-84-108, the replacement;

(9) "Higher education institution" means an eligible education institution as defined in 26 U.S.C. § 135(c)(3), as in effect on January 1, 2018;

(10) "Member of the family" shall have the same meaning as is contained in 26 U.S.C. § 529, as in effect on January 1, 2020;

(11) "Nonqualified withdrawal" means a withdrawal from an account that is not:

(A) A qualified withdrawal;

(B) A withdrawal made as the result of the death or disability of the designated beneficiary;

(C) A withdrawal made as the result of a scholarship, allowance, or payment described in 26 U.S.C. § 135(d)(1)(B) or (d)(1)(C), as in effect on January 1, 2018, received by the designated beneficiary but only to the extent of the amount of the scholarship, allowance, or payment; or

(D) A rollover or change in the designated beneficiary;

(12) "Person" means a person as defined in 26 U.S.C. § 529, as in effect on January 1, 2020;

(13) "Plan" means the Arkansas Brighter Future Fund Plan established by this chapter;

(14) "Qualified higher education expenses" means tuition and other permitted expenses as set forth in 26 U.S.C. § 529, as in effect on January 1, 2020, for the enrollment or attendance of a designated beneficiary;

(15) "Qualified tuition program" means a qualified tuition program as defined in 26 U.S.C. § 529, as in effect on January 1, 2020;

(16) "Qualified withdrawal" means a withdrawal from an account to pay the qualified higher education expenses of the designated beneficiary but only if the withdrawal is made in accordance with the requirements of the plan; and

(17) "Rollover" means a disbursement or transfer from an account that is transferred to or deposited within sixty (60) calendar days of the transfer:

(A) Into an account of the same person for the benefit of the same designated beneficiary;

(B) To the credit of another person as a designated beneficiary if the transferee account was created under this chapter or under another qualified tuition program maintained in accordance with 26 U.S.C. § 529, as in effect on January 1, 2020; or

(C)(i) Before January 1, 2026, into an ABLE account under 26 U.S.C. § 529A(e)(6), as in effect on January 1, 2020, of the designated beneficiary or a member of the family of the designated beneficiary.

(ii) Subdivision (17)(C)(i) of this section does not apply to so much of a distribution which, when added to all other contributions made to the ABLE account for the taxable year, exceeds the limitation under 26 U.S.C. § 529A(b)(2)(B)(i), as in effect on January 1, 2020.

History. Acts 1999, No. 996, § 3; 2003, No. 515, § 1; 2007, No. 218, § 2; 2011, No. 787, § 2; 2015, No. 580, §§ 2-5; 2017, No. 155, § 1; 2017, No. 884, §§ 2-5; 2018 (2nd Ex. Sess.), No. 8, § 1; 2018 (2nd Ex. Sess.), No. 15, § 1; 2021, No. 966, §§ 3-6.

Amendments. The 2017 amendment by No. 155 substituted “January 1, 2017” for “January 1, 2015” throughout the section.

The 2017 amendment by No. 884 substituted “January 1, 2017” for “January 1, 2015” throughout the section.

The 2018 (2nd Ex. Sess.) amendment by identical acts Nos. 8 and 15 substituted “January 1, 2018” for “January 1, 2017” throughout the section; substituted “§ 529” for “§ 529(e)” in (10) and (14); sub-

stituted “(d)(1)(C)” for “(C)” in (11)(C); deleted “at a higher education institution” from the end of (14); in (15), substituted “§ 529” for “§ 529(b)” and inserted “on”; redesignated former (17) as the introductory language of (17), (17)(A), and (17)(B); in (17)(B), added “To the credit of” and substituted “§ 529” for “529(c)”; added (17)(C); and made stylistic changes.

The 2021 amendment substituted “Arkansas Brighter Future Fund Plan Act” for “Arkansas Tax-Deferred Tuition Savings Program Act” in (3) and made similar changes throughout the section; substituted “Plan” for “Program” in (13); and substituted “January 1, 2020” for “January 1, 2018” in (5), (6), (10), (12), (14), (15), and throughout (17).

6-84-104. Creation of Arkansas Brighter Future Fund Plan Trust.

(a) There is created the Arkansas Brighter Future Fund Plan Trust.

(b) The cotrustees of the trust shall be the Director of the Division of Higher Education, the Executive Director of the Arkansas Teacher Retirement System, and the Treasurer of State.

History. Acts 1999, No. 996, § 4; 2003, No. 515, § 1; 2019, No. 910, § 2122; 2021, No. 966, § 7.

Amendments. The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Education” in (b).

The 2021 amendment substituted “Arkansas Brighter Future Fund Plan Trust” for “Arkansas Tax-Deferred Tuition Savings Program Trust” in (a).

6-84-105. Administration — Authority — Powers.

(a) This chapter shall be administered by the Section 529 Plan Review Committee, which shall be composed of:

(1) The Director of the Division of Higher Education;

(2) The Executive Director of the Arkansas Teacher Retirement System; and

(3) The Treasurer of State.

(b) The committee shall adopt such rules as it deems necessary and proper to administer this chapter and to ensure the compliance of the Arkansas Brighter Future Fund Plan with 26 U.S.C. § 529, as in effect on January 1, 2020.

(c) The committee shall have the following powers, duties, and functions:

(1) To establish, develop, implement, and maintain the plan in a manner consistent with the provisions of this chapter and 26 U.S.C. § 529, as in effect on January 1, 2020, and to obtain the benefits provided by 26 U.S.C. § 529 for the plan, account owners, and designated beneficiaries;

(2) To adopt rules for the general administration of the plan;

(3) To maintain, invest, and reinvest the funds contributed into the plan consistent with the investment restrictions established by the committee and the standard of care described in the prudent investor rule under § 24-2-610; and

(4)(A) To make and enter into any and all contracts, agreements, or arrangements and to retain, employ, and contract for the services of financial institutions, depositories, consultants, broker dealers, investment advisors or managers, third-party plan administrators, and research, technical, and other services necessary or desirable for carrying out the purposes of this chapter.

(B) Contracts entered into by the committee may be for a term of from one (1) to ten (10) years.

(d) The Treasurer of State shall provide office space, staff, and materials for the committee.

(e) A member of the committee may expend funds appropriated for the member of the committee to provide the following for the benefit of the plan:

(1) Office space;

(2) Staffing;

(3) Materials;

(4) Marketing;

(5) Education;

(6) Financial literacy programs; and

(7) Outreach measures.

History. Acts 1999, No. 996, §§ 5, 6; 2003, No. 515, § 1; 2007, No. 218, § 3; 2011, No. 787, § 3; 2015, No. 580, §§ 6, 7; 2017, No. 155, §§ 2, 3; 2017, No. 547, § 1; 2017, No. 884, §§ 6, 7; 2018 (2nd Ex. Sess.), No. 8, § 2; 2018 (2nd Ex. Sess.), No. 15, § 2; 2019, No. 315, §§ 413, 414; 2019, No. 910, § 2123; 2021, No. 966, § 8.

Amendments. The 2017 amendment

by No. 155 substituted "January 1, 2017" for "January 1, 2015" in (b) and (c)(1).

The 2017 amendment by No. 547 added (d) and (e).

The 2017 amendment by No. 884 substituted "January 1, 2017" for "January 1, 2015" in (b) and (c)(1).

The 2018 (2nd Ex. Sess.) amendment by identical acts Nos. 8 and 15 substituted

"January 1, 2018" for "January 1, 2017" in (b) and (c)(1).

The 2019 amendment by No. 315 deleted "and regulations" following "rules" in (b) and (c)(2).

The 2019 amendment by No. 910 substituted "Division of Higher Education" for "Department of Higher Education" in (a)(1).

The 2021 amendment, substituted "Arkansas Brighter Future Fund Plan" for "Arkansas Tax-Deferred Tuition Savings Program" in (b); substituted "January 1,

2020" for "January 1, 2018" in (b) and (c); and substituted "plan" for "program" throughout (c).

Effective Dates. Acts 2015, No. 580, § 21: effective for tax years beginning on or after January 1, 2014.

Acts 2017, No. 155, § 25: effective for tax years beginning on and after January 1, 2015.

Identical Acts 2018 (2nd Ex. Sess.), Nos. 8 and 15, § 6: effective for tax years beginning on or after January 1, 2018.

6-84-106. Investment direction.

Except as permitted in 26 U.S.C. § 529, as in effect on January 1, 2020, no person shall have the right to direct the investment of any contributions to or earnings from the Arkansas Brighter Future Fund Plan.

History. Acts 1999, No. 996, § 8; 2003, No. 515, § 1; 2007, No. 218, § 4; 2011, No. 787, § 4; 2015, No. 580, § 8; 2017, No. 155, § 4; 2017, No. 884, § 8; 2018 (2nd Ex. Sess.), No. 8, § 2; 2018 (2nd Ex. Sess.), No. 15, § 2; 2021, No. 966, § 9.

Amendments. The 2017 amendment by No. 155 substituted "January 1, 2017" for "January 1, 2015".

The 2017 amendment by No. 884 substituted "January 1, 2017" for "January 1, 2015".

The 2018 (2nd Ex. Sess.) amendment by identical acts Nos. 8 and 15 substituted "January 1, 2018" for "January 1, 2017".

The 2021 amendment substituted "January 1, 2020" for "January 1, 2018" and substituted "Arkansas Brighter Future Fund Plan" for "Arkansas Tax-Deferred Tuition Savings Program".

6-84-107. Accounts.

(a)(1) An account owner or contributor may establish an account by making an initial contribution to the Arkansas Brighter Future Fund Plan, signing an application form approved by the Section 529 Plan Review Committee and naming the account owner and the designated beneficiary.

(2) If the contributor is not the account owner, the account owner shall also sign the application form.

(3) Any person may make contributions to an account after the account is opened.

(4)(A) An Arkansas employer of an employee with an account established under this chapter may make a matching contribution to the account of the employee offered as an employee fringe benefit.

(B) The maximum contribution amount allowed under subdivision (a)(4)(A) of this section is five hundred dollars (\$500) per contributing employee per year.

(b) Contributions to an account shall be made only in cash.

(c) Total contributions to all accounts shall not exceed those reasonably necessary to provide for the qualified higher education expenses of

the beneficiary, and the committee shall establish maximum contribution limits applicable to plan accounts.

(d) Separate records and accounting shall be required by the plan for each account, and reports shall be made no less frequently than annually to the account owner.

(e)(1) The plan shall be permitted to collect application, account, or administrative fees to defray the costs of the plan.

(2) The application, account, or administrative fees must be approved by the committee.

History. Acts 1999, No. 996, § 7; 2003, No. 515, § 1; Acts 2017, No. 884, § 9; 2021, No. 966, §§ 10-12.

Amendments. The 2017 amendment added (a)(4).

The 2021 amendment substituted “Arkansas Brighter Future Fund Plan” for

“Arkansas Tax-Deferred Tuition Savings Program” in (a)(1); and substituted “plan” for “program” in (c), (d), and twice in (e)(1).

6-84-108. Naming of designated beneficiary and transfers of accounts.

(a) An account owner shall have the right to name the designated beneficiary of an account and at any time to change the designated beneficiary of an account to another individual who is a member of the family of the former designated beneficiary.

(b) At the direction of an account owner, all or a portion of an account may be transferred to another account of which the designated beneficiary is a member of the family of the designated beneficiary of the transferee account if the transferee account was created by this chapter or under another qualified tuition program maintained in accordance with 26 U.S.C. § 529, as in effect on January 1, 2020.

History. Acts 1999, No. 996, § 10; 2003, No. 515, § 1; 2007, No. 218, § 5; 2011, No. 787, § 5; 2015, No. 580, § 9; 2017, No. 155, § 5; 2017, No. 884, § 10; 2018 (2nd Ex. Sess.), No. 8, § 3; 2018 (2nd Ex. Sess.), No. 15, § 3; 2021, No. 966, § 13.

Amendments. The 2017 amendment by No. 155 substituted “January 1, 2017” for “January 1, 2015” in (b).

The 2017 amendment by No. 884 substituted “January 1, 2017” for “January 1, 2015” in (b).

The 2018 (2nd Ex. Sess.) amendment by identical acts Nos. 8 and 15 substituted “on January 1, 2018” for “January 1, 2017” in (b).

The 2021 amendment substituted “January 1, 2020” for “January 1, 2018” in (b).

6-84-109. Account withdrawals.

(a) Withdrawal from an account may be made on thirty (30) days’ written notice by the account owner to the Section 529 Plan Review Committee or on shorter notice as the committee may by rule provide.

(b)(1) An account withdrawal paid to or for the benefit of any person during any calendar year shall be reported to the person and to the Internal Revenue Service.

(2) The report shall be made at the time required by the rules of the Internal Revenue Service as in effect on January 1, 2020, and contain such information as is required by law.

History. Acts 1999, No. 996, § 11; 2003, No. 515, § 1; 2007, No. 218, § 6; 2011, No. 787, § 6; 2015, No. 580, § 10; 2017, No. 155, § 6; 2017, No. 884, § 11; 2018 (2nd Ex. Sess.), No. 8, § 3; 2018 (2nd Ex. Sess.), No. 15, § 3; 2019, No. 315, § 415; 2021, No. 966, § 14.

Amendments. The 2017 amendment by No. 155 substituted “January 1, 2017” for “January 1, 2015” in (b)(2).

The 2017 amendment by No. 884 substituted “January 1, 2017” for “January 1, 2015” in (b)(2).

The 2018 (2nd Ex. Sess.) amendment by identical acts Nos. 8 and 15 substituted “January 1, 2018” for “January 1, 2017” in (b)(2).

The 2019 amendment substituted “rule” for “regulation” in (a).

The 2021 amendment substituted “January 1, 2020” for “January 1, 2018” in (b)(2).

6-84-110. Prohibitions.

(a)(1) Total contributions to all accounts established on behalf of a particular designated beneficiary in excess of those reasonably necessary to meet the designated beneficiary’s qualified higher education expenses are prohibited.

(2) An employer matching contribution to the account of an employee with an account established under this chapter shall not exceed five hundred dollars (\$500) per contributing employee per year.

(b)(1) No account or any legal or beneficial interest in an account shall be assignable or pledged or otherwise used to secure or obtain a loan or other advancement.

(2) An account or any legal or beneficial interest in an account shall not be subject to attachment, levy, or execution by any creditor of an account owner or designated beneficiary.

History. Acts 1999, No. 996, § 9; 2003, No. 515, § 1; 2017, No. 884, § 12.

redesignated former (a) as (a)(1); and added (a)(2).

Amendments. The 2017 amendment

6-84-111. Funds exempt from tax — Definitions.

(a)(1) Except as otherwise indicated in this chapter, interest, dividends, and capital gains from funds invested in the Arkansas Brighter Future Fund Plan or a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529, as in effect on January 1, 2020, shall be exempt from Arkansas income taxes.

(2) For purposes of this section:

(A) “Taxpayer employee” means an employee of an employer with an account established under this chapter; and

(B) “Taxpayer employer” means a person that employs an individual with an account established under this chapter.

(b)(1) Contributions to a tuition savings account established under this plan may be deducted from the taxpayer’s adjusted gross income

for the purpose of calculating Arkansas income tax under § 26-51-403(b).

(2)(A) The deductible contributions shall not exceed five thousand dollars (\$5,000) per taxpayer employee in any tax year.

(B) If the aggregate amount of contributions by a taxpayer during a tax year exceeds the limitation under subdivision (b)(2)(A) of this section, the unused aggregate amount may be carried forward to the next succeeding four (4) tax years.

(C) A taxpayer employer may make a matching contribution to the account of a taxpayer employee with an account established under this chapter that does not exceed five hundred dollars (\$500) per contributing employee per year.

(3) Contributions to this plan that have been deducted from the taxpayer employee's adjusted gross income for prior tax years shall be subject to recapture from the taxpayer employee if the taxpayer employee:

(A) Makes a subsequent nonqualified withdrawal from the account; or

(B) Rolls the account over to a tax-deferred tuition savings program established by another state or institution under 26 U.S.C. § 529, as in effect on January 1, 2020.

(4)(A) The contribution shall be recaptured by adding the amount previously deducted, not to exceed the amount of the nonqualified withdrawal or rollover, to the taxpayer employee's adjusted gross income for the tax year in which the nonqualified withdrawal or rollover occurred.

(B) The nonqualified withdrawal or rollover shall be taxable to the taxpayer employee, party, account owner, or designated beneficiary who actually makes the nonqualified withdrawal or rollover.

(c)(1)(A) For tax years beginning on or after January 1, 2017, contributions to a tuition savings account established under this plan or a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529, as it existed on January 1, 2017, may be deducted from the taxpayer's adjusted gross income for the purpose of calculating Arkansas income tax under § 26-51-403(b).

(B) A taxpayer may not deduct from the taxpayer's adjusted gross income a contribution to a tax-deferred tuition savings program established by another state if the taxpayer deducted the contribution in another state or on another state's income taxes.

(2)(A) The deductible contributions for a tuition savings account established under this chapter shall not exceed five thousand dollars (\$5,000) per taxpayer in any tax year.

(B) If the aggregate amount of contributions by a taxpayer during a tax year exceeds the limitation under subdivision (c)(2)(A) of this section, the unused aggregate amount may be carried forward to the next succeeding four (4) tax years.

(C) The deductible contributions for a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529, as it

existed on January 1, 2017, shall not exceed three thousand dollars (\$3,000) per taxpayer in any tax year.

(D) The deductible contributions for a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529, as it existed on January 1, 2017, that are rolled over into a tuition savings account established under this chapter shall not exceed seven thousand five hundred dollars (\$7,500) per taxpayer in the tax year in which they were rolled over.

(d)(1)(A) For tax years beginning on or after January 1, 2018, contributions to a tuition savings account established under the plan or a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529, as it existed on January 1, 2018, may be deducted from the taxpayer's adjusted gross income for the purpose of calculating Arkansas income tax under § 26-51-403(b).

(B) A taxpayer may not deduct from the taxpayer's adjusted gross income a contribution to a tax-deferred tuition savings program established by another state if the taxpayer deducted the contribution in another state or on another state's income taxes.

(2)(A) The deductible contributions for a tuition savings account established under this chapter shall not exceed five thousand dollars (\$5,000) per taxpayer in any tax year.

(B) If the aggregate amount of contributions by a taxpayer during a tax year exceeds the limitation under subdivision (d)(2)(A) of this section, the unused aggregate amount may be carried forward to the next succeeding four (4) tax years.

(C) The deductible contributions for a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529, as it existed on January 1, 2018, shall not exceed three thousand dollars (\$3,000) per taxpayer in any tax year.

(D) The deductible contributions for a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529, as it existed on January 1, 2018, that are rolled over into a tuition savings account established under this chapter shall not exceed seven thousand five hundred dollars (\$7,500) per taxpayer in the tax year in which they were rolled.

(e)(1)(A) For tax years beginning on and after January 1, 2021, contributions to a tuition savings account established under the plan or a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529, as in effect on January 1, 2020, may be deducted from the taxpayer's adjusted gross income for the purpose of calculating Arkansas income tax under § 26-51-403(b).

(B) A taxpayer may not deduct from the taxpayer's adjusted gross income a contribution to a tax-deferred tuition savings program established by another state if the taxpayer deducted the contribution in another state or on another state's income taxes.

(2)(A) The deductible contributions for a tuition savings account established under this chapter shall not exceed five thousand dollars (\$5,000) per taxpayer in any tax year.

(B) If the aggregate amount of contributions by a taxpayer during a tax year exceeds the limitation under subdivision (e)(2)(A) of this section, the unused aggregate amount may be carried forward to the next succeeding four (4) tax years.

(C) The deductible contributions for a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529, as in effect on January 1, 2020, shall not exceed three thousand dollars (\$3,000) per taxpayer in any tax year.

(D) The deductible contributions for a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529, as in effect on January 1, 2020, that are rolled over into a tuition savings account established under this chapter shall not exceed seven thousand five hundred dollars (\$7,500) per taxpayer in the tax year in which they were rolled over.

(f)(1) Qualified withdrawals from a tuition savings account established under this plan or a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529, as in effect on January 1, 2020, will be exempt from Arkansas income tax with respect to the designated beneficiary's income.

(2)(A) Nonqualified withdrawals from a tuition savings account established under this plan or a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529, as in effect on January 1, 2020, will be subject to Arkansas income tax.

(B) The nonqualified withdrawal will be taxable to the party, account owner, or designated beneficiary who actually makes the withdrawal.

(g) Any earnings on the contribution that are included in the refund will be subject to Arkansas income tax if an account owner receives a refund of contributions to a tuition savings account established under this plan or a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529, as in effect on January 1, 2020, because of either:

(1) The death or disability of the designated beneficiary; or

(2) A scholarship, allowance, or payment described in 26 U.S.C. § 135(d)(1)(B) or (d)(1)(C), as in effect on January 1, 2018, received by the designated beneficiary.

History. Acts 1999, No. 996, § 13; 2003, No. 515, § 1; 2003, No. 663, § 1; 2005, No. 1973, § 1; 2007, No. 218, § 7; 2011, No. 787, § 7; 2015, No. 580, § 11; 2017, No. 155, § 7; 2017, No. 481, § 1; 2017, No. 883, § 1; 2017, No. 884, § 13; 2018 (2nd Ex. Sess.), No. 8, § 4; 2018 (2nd Ex. Sess.), No. 15, § 4; 2021, No. 966, §§ 15-20.

A.C.R.C. Notes. Pursuant to § 1-2-207, this section is set out above as amended by Acts 2003, No. 663, § 1. Section 6-84-111 was also amended by Acts 2003, No. 515, § 1, to read as follows:

"6-84-111. Funds exempt from tax.

"(a) Except as otherwise indicated in this chapter, interest, dividends, and capital gains, and other income earned on funds invested in the Arkansas Tax-Deferred Tuition Savings Program or in another qualified tuition program maintained in accordance with 26 U.S.C. § 529 as in effect February 1, 2003, shall be exempt from Arkansas income taxes.

"(b) Contributions to an account established under this program or under another qualified tuition program maintained in accordance with 26 U.S.C. § 529

as in effect February 1, 2003, may not be excluded or deducted from the contributor's income for the purpose of calculating Arkansas income tax.

"(c)(1) Qualified withdrawals from an account established under this program or under another qualified tuition program maintained in accordance with 26 U.S.C. § 529 as in effect February 1, 2003, shall be exempt from Arkansas income tax with respect to the designated beneficiary's income.

"(2)(A) Nonqualified withdrawals from an account established under this program or under another qualified tuition program maintained in accordance with 26 U.S.C. § 529 as in effect February 1, 2003, shall be subject to Arkansas income tax as provided in subdivision (c)(2)(B) of this section.

"(B) Any income earned on the contributions to an account that are included in a nonqualified withdrawal will be taxable to the party, account owner, or designated beneficiary who actually receives the withdrawal.

"(d) If an account owner receives a refund of contributions to an account established under this program or under another qualified tuition program maintained in accordance with 26 U.S.C. § 529 as in effect February 1, 2003, because of either:

"(1) The death or disability of the designated beneficiary; or

"(2) A scholarship, or allowance or payment described in 26 U.S.C. § 135 (d)(1)(B) or (C) as in effect on February 1, 2003, received by the designated beneficiary, then any income earned on the contributions to the account that are included in the refund will be subject to Arkansas income tax."

Amendments. The 2017 amendment by No. 155 substituted "January 1, 2017" for "January 1, 2015" throughout the section.

The 2017 amendment by No. 481 redesignated (b)(2) as (b)(2)(A) and added (b)(2)(B) [now (b)(2)(B) and (c)(2)(B)].

The 2017 amendment by No. 883 redesignated (b)(1) as (b)(1)(A) [now (c)(1)(A)]; inserted "or a tax-deferred tuition savings program established by another state under January 30 U.S.C. § 529, as it existed on January 1, 2017" in (b)(1)(A) [now (c)(1)(A)]; added (b)(1)(B) [now (c)(1)(B)]; redesignated (b)(2) as (b)(2)(A) [now (c)(2)(A)]; inserted "for a tuition savings account established under this subchapter" in (b)(2)(A) [now (c)(2)(A)]; and added (b)(2)(B) and (C) [now (c)(2)(C) and (D)].

The 2017 amendment by No. 884 substituted "January 1, 2017" for "January 1, 2015" throughout the section; redesignated (a) as (a)(1); added (a)(2); redesignated (b)(2) as (b)(2)(A); inserted "employee" in (b)(2)(A); added (b)(2)(B) [now (b)(2)(C)]; in the introductory language of (b)(3), substituted "taxpayer employee's" for "taxpayer's", inserted "from the taxpayer employee", and substituted "taxpayer employee" for "taxpayer"; redesignated (b)(4) as (b)(4)(A); substituted "taxpayer employee's" for "taxpayer's" in (b)(4)(A); and added (b)(4)(B).

The 2018 (2nd Ex. Sess.) amendment by identical acts Nos. 8 and 15 substituted "January 1, 2018" for "January 1, 2017" in (a)(1), (b)(3)(B), (e)(1), (e)(2)(A), and twice in (f); inserted present (d) and redesignated the remaining subsections accordingly; and substituted "(d)(1)(C)" for "(C)" in (f)(2).

The 2021 amendment substituted "Arkansas Brighter Future Fund Plan" for "Arkansas Tax-Deferred Tuition Savings Program Act" in (a)(1) and substituted "plan" for "program" where applicable; deleted "For tax years beginning on or after January 1, 2005" from the beginning of (b)(1); inserted (e), and redesignated former (e) and (f) as (f) and (g); and substituted "January 1, 2020" for "January 1, 2018" in (a)(1), (b)(3)(B), (f)(1), (f)(2)(A), and (g).

RESEARCH REFERENCES

U. Ark. Little Rock L. Rev. Survey of Legislation, 2003 Arkansas General Assembly, Education Law, Income Tax Com-

putation, 26 U. Ark. Little Rock L. Rev. 381.

6-84-112. Limitation on liability.

Neither the Arkansas Brighter Future Fund Plan, the Section 529 Plan Review Committee and each of its members, nor the state shall insure any account or guarantee any rate of return or any interest rate on any contribution, nor shall they or any one of them be liable for any loss incurred by any person as a result of participating in the plan.

History. Acts 1999, No. 996, § 8; 2003, No. 515, § 1; 2021, No. 966, § 21.

Publisher's Notes. Acts 2003, No. 515, § 2, provided: "This act shall apply to tax years beginning on or after January 1, 2003."

Amendments. The 2021 amendment substituted "Arkansas Brighter Future Fund Plan" for "Arkansas Tax-Deferred Tuition Savings Program" and "plan" for "program".

6-84-113. Liberal construction.

This chapter shall be liberally construed to comply with the requirements of 26 U.S.C. § 529, as in effect on January 1, 2020.

History. Acts 1999, No. 996, § 12; 2003, No. 515, § 1; 2007, No. 218, § 8; 2011, No. 787, § 8; 2015, No. 580, § 12; 2017, No. 155, § 8; 2017, No. 884, § 14; 2018 (2nd Ex. Sess.), No. 8, § 5; 2018 (2nd Ex. Sess.), No. 15, § 5; 2021, No. 966, § 22.

Amendments. The 2017 amendment by No. 155 substituted "January 1, 2017" for "January 1, 2015".

The 2017 amendment by No. 884 substituted "January 1, 2017" for "January 1, 2015".

The 2018 (2nd Ex. Sess.) amendment by identical acts Nos. 8 and 15 substituted "January 1, 2018" for "January 1, 2017".

The 2021 amendment substituted "January 1, 2020" for "January 1, 2018".

6-84-114. Aspiring Scholars Matching Grant Program.

(a) The Section 529 Plan Review Committee shall develop and implement a pilot program to be known as the "Aspiring Scholars Matching Grant Program" that uses available administrative funds to match a contribution made into an account for a designated beneficiary under this chapter.

(b)(1) An advisory committee shall advise the Section 529 Plan Review Committee on the development and implementation of the Aspiring Scholars Matching Grant Program.

(2) The advisory committee shall consist of three (3) members as follows:

(A) One (1) member appointed by the Chair of the Senate Committee on Education;

(B) One (1) member appointed by the Chair of the House Committee on Education; and

(C) One (1) member appointed by the Governor.

(c) An Arkansas Brighter Future Fund Plan account shall be exempt for purposes of determining eligibility for transitional employment assistance, Medicaid, and food stamps, provided that the federal rules for these programs permit such an exemption.

History. Acts 2007, No. 597, § 1; 2021, No. 966, § 23.

Amendments. The 2021 amendment

substituted “Brighter Future Fund Plan” for “Tax Deferred Tuition Savings Program” in (c).

CHAPTER 85

LOTTERY-FUNDED SCHOLARSHIP PROGRAMS

SUBCHAPTER.

1. ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM — PART 1. [REPEALED.]
2. ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM.
3. ARKANSAS WORKFORCE CHALLENGE SCHOLARSHIP PROGRAM.
4. ARKANSAS CONCURRENT CHALLENGE SCHOLARSHIP PROGRAM.
5. PROCEDURAL REQUIREMENTS FOR CREATING OR AMENDING LOTTERY-FUNDED SCHOLARSHIPS.

A.C.R.C. Acts 2009, Nos. 605 and 606, and 294, § 19.
§ 7, was repealed by Acts 2010, Nos. 265

SUBCHAPTER 1 — ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM — PART 1

[Repealed.]

SECTION.

6-85-101 — 6-85-111. [Repealed.]

6-85-101 — 6-85-111. [Repealed.]

Publisher’s Notes. This subchapter, concerning the Arkansas Academic Challenge Scholarship Program — Part 1, was repealed by Acts 2021, No. 81, § 1, effective July 28, 2021. The subchapter was derived from the following sources:

6-85-101. Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-102. Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-103. Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-104. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2019, No. 910, §§ 2124-2127.

6-85-105. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2019, No. 910, § 2128.

6-85-106. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2019, No. 755, § 7; 2019, No. 910, §§ 2129-2141.

6-85-107. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2019, No. 910, § 2142.

6-85-108. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2009, No. 1405, § 1; 2019, No. 910, § 2143.

6-85-109. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2019, No. 910, § 2144.

6-85-110. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2019, No. 910, §§ 2145-2148.

6-85-111. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2019, No. 910, § 2149.

SUBCHAPTER 2 — ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM

SECTION.

6-85-201. Findings.

6-85-202. Creation.

SECTION.

6-85-203. Applicability.

6-85-204. Definitions.

SECTION.

- 6-85-205. Authority and duties of Division of Higher Education.
- 6-85-206. Basic eligibility requirements.
- 6-85-207. Additional eligibility requirements for traditional students.
- 6-85-208. Additional eligibility requirements for nontraditional student.
- 6-85-209. [Repealed.]
- 6-85-210. Continuing eligibility.
- 6-85-211. [Repealed.]
- 6-85-212. Scholarship award amounts.
- 6-85-213. Nursing school eligibility.
- 6-85-214. Accountability — Transparency — Legislative oversight.

SECTION.

- 6-85-215. [Repealed.]
- 6-85-216. Institution report to Division of Higher Education.
- 6-85-217. Information provided to Bureau of Legislative Research by Division of Higher Education.
- 6-85-218. [Repealed.]
- 6-85-219. Reports to legislative committees.
- 6-85-220. Legislative Council — Annual report.
- 6-85-221. Scholarship hold — Leave of absence.

Effective Dates. Acts 2009, Nos. 605 and 606, § 27: Mar. 25, 2009. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the people of the State of Arkansas overwhelmingly approved the establishment of lotteries at the 2008 General Election; that lotteries will provide funding for scholarships to the citizens of this state; that the failure to immediately implement this act will cause a reduction in lottery proceeds that will harm the educational and economic success of potential students eligible to receive scholarships under the act; and that the state lotteries should be implemented as soon as possible to effectuate the will of the citizens of this state and implement lottery-funded scholarships as soon as possible. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2009, No. 1405, § 57: Apr. 9, 2009. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the people of the State of Arkansas overwhelmingly approved the establishment of lotteries at the 2008 General Election; that the

Eighty-seventh General Assembly adopted Acts 605 and 606 of 2009 that implemented lotteries and made corresponding revisions to the Arkansas Academic Challenge Scholarship Program; that this bill amends provisions of Acts 605 and 606 of 2009 pertaining to lotteries and the Arkansas Academic Challenge Scholarship Program; and that the failure to immediately implement this act will cause a reduction in lottery proceeds that will harm the educational and economic success of potential students eligible to receive scholarships under the act. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2011, No. 207, § 31: Mar. 8, 2011. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that increasing the number of Arkansans obtaining postsecondary credentials is critical to the economic health of the state and its citizens; that the Arkansas Scholarship Lottery provides the opportunity for tens of thousands of Arkansans to obtain postsecondary education; that the deadline for scholarship applications is June 1; that the financial integrity of the Arkansas

Scholarship Lottery is critical to the continued existence of the scholarships; that the reporting and research provisions of this act are critical for timely decisions by the General Assembly on scholarship awards; and that this act is immediately necessary because the Department of Higher Education must promulgate rules to implement this act well before June 1, 2011, in order to provide eligible Arkansans the opportunity to apply for the scholarship. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2011, No. 1180, § 4: Apr. 4, 2011. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that increasing the number of Arkansans who obtain postsecondary credentials is critical to the economic health of the state and its citizens; that the Arkansas Scholarship Lottery provides the opportunity for tens of thousands of Arkansans to obtain postsecondary education; that the deadline for scholarship applications is June 1; that the financial integrity of the Arkansas Scholarship Lottery is critical to the continued existence of the scholarships; that the reporting and research provisions of this act are critical for timely decisions by the General Assembly on scholarship awards; and that this act is immediately necessary because the Department of Higher Education must promulgate rules to implement this act well before June 1, 2011, in order to provide eligible Arkansans the opportunity to apply for the scholarship. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the

Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2013, No. 234, § 4: Mar. 1, 2013. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that increasing the number of Arkansans obtaining postsecondary credentials is critical to the economic health of the state and its citizens; that the Arkansas Scholarship Lottery provides the opportunity for tens of thousands of Arkansans to obtain postsecondary education; that the deadline for scholarship applications is June 1; that the financial integrity of the Arkansas Scholarship Lottery is critical to the continued existence of the scholarships; and that this act is immediately necessary because the Department of Higher Education must promulgate rules to implement this act well before June 1, 2013, in order to provide eligible Arkansans the opportunity to apply for the scholarship. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2013, No. 1173, § 18: Apr. 12, 2013. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that increasing the number of Arkansans obtaining postsecondary credentials is critical to the economic health of the state and its citizens; that the Arkansas Scholarship Lottery provides the opportunity for tens of thousands of Arkansans to obtain postsecondary education; that the deadline for scholarship applications is June 1; that the financial integrity of the Arkansas Scholarship Lottery is critical to the continued existence of the scholarships; and that this act is immediately necessary because the Department of Higher Education must promulgate rules to implement this act well before June 1, 2013, in order to provide eligible Arkansans the opportunity to apply for the scholarship. Therefore, an emergency is declared to exist and this act being immediately necessary for

the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2015, No. 218, § 34: Feb. 26, 2015. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the stability of the Arkansas Scholarship Lottery is critical to the success of the Arkansas Academic Challenge Scholarship Program; that changes to the operational structure of the lottery are needed to improve the creditability and function of the lottery; and that this act is immediately necessary to ensure that the transition of lottery administration is as un-disruptive as possible. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2015, No. 1105, § 8: July 1, 2016. Effective date clause provided: "Sections 1 through 5 of this act are effective on July 1, 2016."

Acts 2015, No. 1105, § 9: Apr. 6, 2015, §§ 6, 7. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Scholarship Lottery is undergoing dramatic change; that the financial stability of the Arkansas Scholarship Lottery is in question; and that this act is immediately necessary to ensure that there are appropriate mechanisms in place to fund scholarship recipients should there be a shortfall in lottery proceeds. Therefore, an emergency is declared to exist, and Sections 6 and 7 of this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2017, No. 613, § 7: Mar. 23, 2017. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this state is in need of a more educated and skilled workforce; that the Arkansas Workforce Challenge Scholarships available under this act will allow more Arkansans to pursue higher education in order to obtain a skill or better education that will lead to employment in a high-needs occupation in Arkansas; and that this act is immediately necessary to allow the funding to be in place so that Arkansas Workforce Challenge Scholarships can be awarded to Arkansans as soon as possible. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2018, No. 197, § 49: Feb. 28, 2018, §§ 44, 45. Emergency clause provided: "(a) It is found and determined by the General Assembly of the State of Arkansas that Section 44 — the Section regarding Arkansas Workforce Challenge Scholarship Fund transfers, of this act granting the Arkansas Department of Higher Education authority to make Arkansas Workforce Challenge Scholarship Fund transfers for scholarship awards for nontraditional students; and Section 45 — the Section regarding increasing the scholarship awards limit to nontraditional students, increasing the aggregate amount of scholarship awards to nontraditional students to fifteen million dollars (\$15,000,000), requires immediate implementation in order to facilitate a timely and efficient scholarship transfer and funding process and to ensure these processes are not interrupted or impaired. Therefore, an emergency is declared to

exist, and Section 44, regarding Arkansas Workforce Challenge Scholarship Fund transfers, and Section 45, regarding the scholarship awards limit to nontraditional students, of this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded sections of this act preceding the emergency clause titled ‘Funding and classification of cabinet-level department secretaries’ and ‘Transformation and Efficiencies Act transition team’ should become effective at the beginning of the fiscal year to allow for implementation of

the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.”

Acts 2021, No. 636, § 11: Apr. 12, 2021. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that it is imperative to ensure existing scholarships can be funded with current available funds; that it is necessary to determine whether enacting a new scholarship is fiscally prudent; and that this act is immediately necessary in order to review each bill that creates or amends a lottery-funded scholarship in light of existing scholarships and available funds to ensure financial solvency of the lottery. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

6-85-201. Findings.

The General Assembly finds that:

(1) In approving Arkansas Constitution, Amendment 87, the citizens of this state provided an opportunity to increase the resources provided for higher education scholarships and grants through a state lottery;

(2) The net proceeds from the state lottery, in addition to existing nonlottery state educational resources for scholarships and grants, will:

(A) Encourage associate degree, certificate of proficiency program, and technical certificate program recipients and university juniors to complete a baccalaureate degree;

(B) Provide opportunities for students more than one (1) year out of high school to enter or reenter higher education;

(C) Provide an improved system of communication to students and parents about opportunities for higher education scholarships and grants in Arkansas; and

(D) Provide an evaluation and analysis of all state funding for scholarships and grants and how the funding advances the state’s goals for higher education; and

(3) Changes to the Arkansas Academic Challenge Scholarship Program may be necessary from time to time to ensure the solvency of the program by spreading the program liabilities over a period of time while ensuring that there are scholarship dollars available for students who successfully complete their courses.

History. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2015, No. 1105, § 1; 2021, No. 636, § 1.

deleted “Part 2” following “Arkansas Academic Challenge Scholarship Program” in (3).

Amendments. The 2021 amendment

6-85-202. Creation.

The Arkansas Academic Challenge Scholarship Program is hereby created and established.

History. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2021, No. 636, § 1.

deleted “Part 2” following “Arkansas Academic Challenge Scholarship Program”.

Amendments. The 2021 amendment

6-85-203. Applicability.

(a) Recipients of Arkansas Governor’s Distinguished Scholarships may receive an Arkansas Academic Challenge Scholarship under this subchapter.

(b) The amount of an Arkansas Academic Challenge Scholarship awarded to a recipient of an Arkansas Governor’s Distinguished Scholarship shall not be more than the maximum scholarship amount provided to a recipient of an Arkansas Governor’s Distinguished Scholarship under § 6-82-312.

History. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2021, No. 80, § 1; 2021, No. 636, § 1.

Academic Challenge Scholarship” for “are prohibited from receiving Arkansas Academic Challenge Scholarships” in (c)(1) [now (a)].

Amendments. The 2021 amendment by No. 80 added (c)(2) [now (b)] and redesignated former (c) as (c)(1) [now (a)]; and substituted “may receive an Arkansas

The 2021 amendment by No. 636 deleted former (a) and (b); and deleted the (c) designation.

6-85-204. Definitions.

As used in this subchapter:

(1) “ACT” means the ACT administered by ACT, Inc.;

(2) “ACT equivalent” means the SAT, COMPASS, ACCUPLACER, or other nationally normed test that is correlated with the ACT and approved by the Division of Higher Education for use by institutions of higher education to assess a person’s college readiness;

(3) “Approved institution of higher education” means an institution of higher education approved by the division to participate in the Arkansas Academic Challenge Scholarship Program and that is:

(A) A state-supported two-year or four-year college or university;

(B) A private, nonprofit two-year or four-year college or university with its primary headquarters located in Arkansas that is eligible to receive Title IV federal student aid funds; or

(C) An approved school of nursing, subject to the provisions of § 6-85-213(c);

(4) "Approved school of nursing" means a school of nursing with its primary headquarters located in Arkansas that:

(A) Prepares students as registered nurses;

(B) Grants nursing diplomas;

(C) Is eligible to participate in the Higher Education Act of 1965, Title IV federal student aid programs;

(D) Is approved by the Arkansas State Board of Nursing;

(E) Has been approved by the division as eligible to participate in the Arkansas Academic Challenge Scholarship Program; and

(F) Is not a two-year or four-year college or university;

(5) "Arkansas resident" means a natural person who provides evidence deemed sufficient by the division that:

(A) For the twelve-month period required under § 6-85-206(1), the person:

(i) Maintained a permanent home in Arkansas where the person resides for an average of no less than four (4) days and nights per calendar week; and

(ii) Either:

(a) Is an Arkansas registered voter;

(b) Holds a valid Arkansas motor vehicle driver's license;

(c) Receives benefits under an Arkansas public assistance program;

(d) Uses an Arkansas residence address for federal or state tax purposes; or

(e) Claims Arkansas as a residence to hold public office or for judicial actions; or

(B) Before the deadline for filing a scholarship application under this subchapter the applicant:

(i) Is on active military status;

(ii) Qualifies for in-state tuition and fees under § 6-60-205; and

(iii) Meets one (1) of the conditions under subdivision (5)(A)(ii) of this section;

(6) "Continuously enrolled" means:

(A) For a traditional student, he or she successfully completes at an approved institution of higher education twenty-seven (27) semester hours in the first academic year as a recipient and, except as provided in § 6-85-212(d)(1)(A)(iv)(c), successfully completes thirty (30) semester hours each academic year thereafter;

(B) For a full-time nontraditional student, he or she successfully completes at an approved institution of higher education at least fifteen (15) semester hours of courses in consecutive semesters;

(C) For a part-time nontraditional student, he or she successfully completes at an approved institution of higher education at least six (6) semester hours of courses in consecutive semesters; and

(D) For a student who is enrolled in a degree plan that has a maximum number of semester hours in a semester that is less than the requirements of subdivisions (6)(A)-(C) of this section, he or she successfully completes at an approved institution of higher education the maximum number of hours required by the degree plan for the semester;

(7) "Enrolled" means that the approved institution of higher education where the student is attending class counts the student as enrolled for the hours claimed on the last day to add or drop a class at the approved institution of higher education;

(8) "High school grade point average" means the numbered grade average on a student's high school transcript calculated:

(A) For a traditional student, using the first seven (7) of the last eight (8) semesters the student completed prior to graduating high school; or

(B) For a nontraditional student, using the last eight (8) semesters the student completed before graduating high school;

(9) "Lawful permanent resident" means a non-United States citizen who resides in the United States under a legally recognized and lawfully recorded permanent residence and who may receive state public benefits under 8 U.S.C. § 1622;

(10) "Net proceeds from the state lottery" means lottery proceeds for one (1) fiscal year less the operating expenses defined in § 23-115-103 for the fiscal year;

(11) "Nonlottery state educational resources" means the funding available for state-supported scholarships and grants for students enrolled in postsecondary education in this state that:

(A) The General Assembly makes available from general revenue to the Higher Education Grants Fund Account without consideration of the availability of proceeds from the state lottery; and

(B) The Department of Finance and Administration estimates is available for distribution to the Higher Education Grants Fund Account during a fiscal year from the Educational Excellence Trust Fund;

(12) "Qualified certificate program" means a program:

(A) That is offered by an approved institution of higher education;

(B) For which credit hours are awarded that are creditable toward an associate degree or baccalaureate degree; and

(C) Recognized by the United States Department of Education for financial aid purposes;

(13) "Recipient" means an applicant awarded a scholarship funded through the Arkansas Academic Challenge Scholarship Program;

(14) "Semester" means one-half ($\frac{1}{2}$) of a traditional academic year at an institution of higher education, or an equivalent approved by the division, in which a student enrolls for not less than:

(A) Fifteen (15) credit hours as a full-time student, except that in the first semester as a first-time full-time freshman, a traditional student shall enroll in not less than twelve (12) credit hours; or

(B) Six (6) credit hours as a part-time student;

(15) "State-supported student financial assistance" means a state-supported scholarship, grant, tuition waiver, or tuition reimbursement funded with state funds or net proceeds from the state lottery awarded by:

(A) The division; or

(B) A scholarship or grant awarded by an institution of higher education in this state in whole or in part by state funds, including without limitation:

(i) Scholarships awarded on the basis of entrance exam scores or high school academic achievement;

(ii) Tuition waivers based on age, military service, occupation, or other factors;

(iii) Out-of-state tuition waivers for undergraduate students from contiguous states in close proximity to a college or university;

(iv) Scholarships for transfers from two-year institutions;

(v) Performance scholarships for band, musical performing groups, arts, theater, forensics, and similar activities that are not awarded on the basis of entrance exam scores or high school academic achievement; and

(vi) Any other publicly funded program under which students are not charged or are reimbursed by the institution of higher education for tuition, fees, books, or other costs of attendance;

(16)(A) "Superscore" means the final composite score that is calculated according to a combination of the highest individual section scores across all of the ACT tests taken by an individual.

(B)(i) The division shall promulgate rules in consultation with ACT, Inc. to determine the mechanism for calculating and disseminating an applicant's superscore on the ACT.

(ii) However, a rule promulgated under subdivision (16)(B)(i) of this section shall not result in a negative amount of net revenue available;

(17)(A) "Supplant" means that the net proceeds from the state lottery are used in place of, not in addition to, state nonlottery educational resources provided for state-supported student financial assistance for a specified fiscal year.

(B) Supplanting does not occur if the General Assembly provided the state nonlottery educational resources as if the lotteries under the Arkansas Scholarship Lottery Act, § 23-115-101 et seq., do not exist; and

(18)(A) "Traditional student" means a student who:

(i) Will enter postsecondary education as a full-time first-time freshman on or before the fall semester of the academic year that begins immediately following:

(a) The student's graduation from high school; or

(b) The last day of the school year;

(I) That would have been the student's junior or senior year of high school; and

(2) In which the student completes the requirements for high school graduation and obtains a Certificate of General Educational Development instead of receiving a diploma; and

(ii) Remains continuously enrolled as a full-time student.

(B) “Traditional student” includes a student who otherwise meets this definition but delays entering postsecondary education under a scholarship hold approved by the division.

History. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2009, No. 1405, §§ 2, 3; 2010, No. 265, § 1; 2010, No. 294, § 1; 2011, No. 207, §§ 4, 5; 2013, No. 1173, §§ 3, 4; 2013, No. 1263, § 1; 2015, No. 1115, § 18; 2017, No. 597, § 1; 2017, No. 719, § 1; 2019, No. 549, § 1; 2019, No. 692, § 13; 2019, No. 910, §§ 2150-2158; 2021, No. 636, § 1.

Amendments. The 2017 amendment by No. 597 inserted “except as provided in § 6-85-212(e)(1)(A)(iv)(c)” in (6)(A).

The 2017 amendment by No. 719 deleted “not including any summer term” following “thereafter” at the end of (6)(A); deleted “not including a summer term” following “semesters” at the end of (6)(B), (6)(C)(i), (6)(C)(ii), and (6)(D).

The 2019 amendment by No. 549 inserted present (25).

The 2019 amendment by No. 692 substituted “Arkansas Academic Challenge

Scholarship Program — Part 2” for “program” in (19).

The 2019 amendment by No. 910 substituted “Division of Higher Education” for “Department of Higher Education” throughout the section; and substituted “State Board of Education” for “state board” in (22)(B)(i).

The 2021 amendment deleted former (7), (8), (10), (15)-(17), (20), (22), and (24), and redesignated the remaining subdivisions accordingly; deleted “Assessment” preceding “administered” in (1); deleted “Part 2” following “Arkansas Academic Challenge Scholarship Program” in (3) and (13); deleted former (6)(C), and redesignated former (6)(D) and (E) as (6)(C) and (D); added (16)(B); deleted (18)(C); updated references; and made stylistic changes.

6-85-205. Authority and duties of Division of Higher Education.

(a) The Division of Higher Education shall develop and promulgate rules for the administration of the Arkansas Academic Challenge Scholarship Program consistent with the purposes and requirements of this subchapter.

(b) The rules developed and promulgated by the Division of Higher Education under this section shall pertain to:

(1) Student eligibility criteria based on this subchapter;

(2) The method for selecting scholarship recipients and for determining continuing eligibility;

(3) The procedures for making payment to an approved institution of higher education where the recipient is enrolled; and

(4) Other administrative procedures that may be necessary for the implementation and operation of the program.

(c) The Division of Higher Education shall implement a complete financial aid management system that uses a single application form that may be accessed as a web-based application for all Arkansas state-supported student financial assistance administered by the Division of Higher Education, including:

(1) Scholarships awarded under this subchapter or other state law that are funded with net proceeds from the state lottery; and

(2) Scholarships, grants, or other financial assistance for higher education students funded with nonlottery state educational resources.

(d)(1) The Division of Elementary and Secondary Education and the Division of Higher Education shall develop appropriate informational materials on the program and ensure distribution of the materials to Arkansas students in grade seven through grade twelve (7-12) each year as a part of the packet of materials on precollegiate preparation distributed by the Arkansas Higher Education Coordinating Board under § 6-61-217 and by the Division of Elementary and Secondary Education under the Higher Education Awareness Act of 1993, § 6-5-401 et seq.

(2) The distribution of informational materials under this section shall be accomplished through the collaboration of school counselors and other appropriate public school or Division of Higher Education personnel.

(3) The Division of Higher Education shall provide a copy of the informational materials developed under this section to the Legislative Council for review.

(e) The Director of the Division of Higher Education shall review and evaluate the operation of the program with regard to eligibility criteria and size of the scholarship award to ensure that the program's operation meets the intent of this subchapter.

(f)(1)(A) By July 15 of each year, the director shall provide a report to the Legislative Council on:

- (i) The implementation of this subchapter;
- (ii) The number of recipients that either:
 - (a) Dropped out during the academic year; or
 - (b) Lost the scholarship during the academic year; and
- (iii) Any additional information requested by the Legislative Council.

(B) The Legislative Council shall include the information reported under this subsection in its annual report to the General Assembly under § 6-85-220.

(2) By August 1 of each year, the Division of Higher Education shall provide to the Legislative Council an unaudited financial report on the administration of the program for the fiscal year just ended.

History. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2010, No. 265, §§ 2-4; 2010, No. 294, §§ 2-4; 2015, No. 218, §§ 5-7; 2015, No. 1258, §§ 5-7; 2019, No. 910, § 2159; 2021, No. 636, § 1.

A.C.R.C. Notes. Acts 2015, No. 1258, § 1, provided: "LEGISLATIVE FINDINGS. The General Assembly finds:

"(1) Amendment 92 to the Arkansas Constitution states in part: 'The General Assembly may provide by law for the review by a legislative committee of administrative rules promulgated by a state agency before the administrative rules

become effective; and that administrative rules promulgated by a state agency shall not become effective until reviewed and approved by the legislative committee charged by law with the review of administrative rules under subdivision (a)(1) of this section';

"(2) As Amendment 92 does not define the term 'state agency', the General Assembly may establish a definition by law as part of its implementation of Amendment 92;

"(3) The General Assembly at this time wishes to exclude the Arkansas State

Game and Fish Commission, the State Highway Commission, the Arkansas State Highway and Transportation Department, and institutions of higher education from the definition of 'state agency' applied to the implementation of Amendment 92; and

"(4) The General Assembly or the Legislative Council reserve the right to amend the definition of 'state agency' in the future to include one (1) or all of the Arkansas State Game and Fish Commission, the State Highway Commission, the Arkansas State Highway and Transportation Department, and institutions of higher education."

Publisher's Notes. Acts 2015, No.

1258, §§ 5-7 specifically amended this section as amended by Acts 2015, No. 218.

Amendments. The 2019 amendment substituted "Division of Higher Education" for "Department of Higher Education" in the section heading and throughout the section; and substituted "Division of Elementary and Secondary Education" for "Department of Education" twice in (d)(1).

The 2021 amendment substituted "shall" for "are directed to" in (d)(1); deleted former (f), and redesignated former (g) as (f); substituted "director" for "Director of the Division of Higher Education" in (f)(1)(A); and made stylistic changes.

6-85-206. Basic eligibility requirements.

The basic requirements for an applicant to be eligible for an award from the Arkansas Academic Challenge Scholarship Program are:

(1)(A) The applicant has been an Arkansas resident for at least the twelve (12) months immediately preceding the date the applicant will enroll in an approved institution of higher education.

(B) If the applicant is less than twenty-one (21) years of age, either the applicant or a parent or guardian of the applicant shall have maintained Arkansas residency for at least the twelve (12) months immediately preceding the date the applicant will enroll in an approved institution of higher education.

(C)(i) To be considered an Arkansas resident, an applicant shall demonstrate residency by evidence deemed sufficient to the Division of Higher Education.

(ii) Evidence of residency may include without limitation information provided by the applicant on the Free Application for Federal Student Aid (FAFSA) or a subsequent application required by the United States Department of Education for federal financial aid.

(D) During the twelve (12) months immediately preceding the date an applicant will enroll in an approved institution of higher education if the person for whom the twelve-month period is calculated under subdivision (1)(A) or subdivision (1)(B) of this section is deployed outside of Arkansas under military orders, the division shall calculate the twelve (12) months by:

(i) Excluding months of military deployment outside of Arkansas that are within the twelve (12) months immediately preceding the date the applicant will enroll in an approved institution of higher education; and

(ii) Including months the person maintained Arkansas residency immediately preceding the military deployment outside of Arkansas;

(2) The applicant is a citizen of the United States or is a lawful permanent resident;

(3)(A) The applicant is accepted for admission as a full-time student or part-time student at:

(i) An approved institution of higher education in a program of study that leads to or is creditable toward:

(a) A baccalaureate degree;

(b) An associate degree;

(c) A certificate from a qualified certificate program; or

(d) A graduate-level or professional degree; or

(ii) An approved school of nursing in a program of study that leads to a nursing diploma under § 6-85-213.

(B) A full-time student shall enroll in at least twenty-seven (27) semester hours the first academic year and thirty (30) semester hours per academic year thereafter or the equivalent, as described in this subchapter, or the equivalent as defined by the division.

(C) A part-time student shall complete at least six (6) semester hours but less than the minimum number of semester hours for a full-time student, as defined by the division;

(4) The applicant has not met the maximum continuing education eligibility requirements under § 6-85-210;

(5) The applicant does not owe a refund on a federal or state student financial aid grant for higher education;

(6) The applicant is not in default on a state or federal student financial aid loan for higher education;

(7) The applicant has not borrowed, as determined by the approved institution of higher education to be attended, in excess of the annual loan limits of the William D. Ford Federal Direct Loan Program in the same academic year for which the student has applied for assistance under this subchapter;

(8) The applicant is not incarcerated at the time of the application for or during the time the applicant receives a scholarship under this subchapter;

(9) The applicant has complied with United States Selective Service System requirements for registration;

(10) The applicant has completed and submitted to the United States Department of Education a Free Application for Federal Student Aid (FAFSA) or a subsequent application required by the United States Department of Education for federal financial aid; and

(11) The applicant certifies that he or she is drug-free and pledges in writing on the application form to refrain from the use or abuse of illegal substances in order to become eligible and maintain eligibility for the Arkansas Academic Challenge Scholarship Program.

History. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2009, No. 1405, § 4; 2010, No. 265, § 5; 2010, No. 294, § 5; 2011, No. 207, § 6; 2013, No. 1173, §§ 5, 6; 2017, No. 597, § 2; 2019, No. 692, § 14; 2019, No. 910, §§ 2160-2162; 2021, No. 636, § 1.

Amendments. The 2017 amendment added (3)(A)(i)(d).

The 2019 amendment by No. 692, in (7), substituted "William D. Ford Federal Direct Loan Program" for "Federal Family Educational Loan Program Systems, William D. Ford Federal Direct Loan Pro-

gram, Income Contingent Loan Demonstration Program, Stafford Loan Program, Parent Loan for Undergraduate Students Program, or Supplemental Loan for Students Program”.

The 2019 amendment by No. 910 substituted “Division of Higher Education” for “Department of Higher Education” throughout the section.

The 2021 amendment deleted “Part 2” following “Arkansas Academic Challenge Scholarship Program” in the introductory language; and substituted “the Arkansas Academic Challenge Scholarship Program” for “this program” in (11).

6-85-207. Additional eligibility requirements for traditional students.

In addition to the basic eligibility requirements of § 6-85-206, an applicant is eligible as a traditional student if the applicant:

(1) Graduated from an Arkansas public high school and has a minimum superscore of nineteen (19) on the ACT or the equivalent score on an ACT equivalent;

(2) Has a disability identified under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., as it existed on July 1, 2009, and graduated from an Arkansas public high school, and either:

(A) Had a minimum composite score of nineteen (19) on the ACT or the equivalent score on an ACT equivalent; or

(B) Scored proficient or higher on all state-mandated end-of-course assessments, including without limitation end-of-course assessments on:

- (i) Algebra I;
- (ii) Geometry;
- (iii) Biology; and
- (iv) Literacy;

(3) Achieved a minimum superscore of nineteen (19) on the ACT or the equivalent score on an ACT equivalent and:

(A) Graduated from a private high school, an out-of-state high school, or a home school high school; or

(B) In the year in which the student would have been a junior or senior in high school, completed the requirements for high school graduation and obtained a high school equivalency diploma approved by the Adult Education Section instead of receiving a diploma; or

(4) Meets the following criteria:

(A) Was enrolled at an institution of higher education in the immediately preceding academic year as a full-time, first-time freshman;

(B) Did not receive a scholarship under this subchapter as a full-time, first-time freshman;

(C) Successfully completed with the equivalent of a minimum letter grade of “D” at least twenty-seven (27) semester hours of courses as a full-time, first-time freshman; and

(D) Achieved a postsecondary grade point average of at least 2.5 on a 4.0 scale as a full-time, first-time freshman.

History. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2009, No. 1405, §§ 5-8; 2010, No. 265, § 6; 2010, No. 294, § 6; 2011, No. 207, § 7; 2013, No. 1263, § 2; 2015, No. 1105, § 2; 2015, No. 1115, § 19; 2017, No. 315, § 1; 2017, No. 719, § 2; 2019, No. 549 §§ 2, 3; 2019, No. 910, § 2163; 2021, No. 636, § 1.

Publisher's Notes. Acts 2017, No. 719, § 2 specifically amended this section as amended by Acts 2017, No. 315, § 1.

Amendments. The 2017 amendment by No. 315 added (4) and made stylistic changes.

The 2017 amendment by No. 719 deleted "in consecutive semesters, not including a summer term" following "courses" in (4)(C).

The 2019 amendment by No. 549 added the (1)(A) designation; substituted "superscore" for "composite score" in (1)(A); added (1)(B); and substituted "superscore" for "composite score" in the introductory language of (3).

The 2019 amendment by No. 910 substituted "Adult Education Section of the Division of Workforce Services" for "Department of Career Education" in (3)(B).

The 2021 amendment inserted "basic eligibility" in the introductory language; redesignated former (1)(A) as (1); deleted former (1)(B); and inserted "with the equivalent of a minimum letter grade of 'D'" in (4)(C).

6-85-208. Additional eligibility requirements for nontraditional student.

An applicant is eligible as a nontraditional student if, in addition to the basic eligibility requirements of § 6-85-206, the applicant meets one (1) of the following requirements:

(1) If the applicant has not been enrolled in an approved institution of higher education, has graduated from an Arkansas public high school, a private high school, an out-of-state high school, a home school high school, or obtained a high school equivalency diploma approved by the Adult Education Section and had a superscore of nineteen (19) on the ACT or the equivalent score on an ACT equivalent; or

(2) If the applicant has been enrolled in an approved institution of higher education, has earned a postsecondary grade point average of at least 2.5 on a 4.0 scale.

History. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2009, No. 1405, §§ 9, 10; 2010, No. 265, § 7; 2010, No. 294, § 7; 2011, No. 207, § 8; 2015, No. 1115, § 20; 2017, No. 1008, § 5; 2019, No. 549, § 4; 2019, No. 910, § 2164; 2021, No. 80, § 2; 2021, No. 636, § 1.

Amendments. The 2017 amendment rewrote the section.

The 2019 amendment by No. 549 added the (1)(B)(i) designation; substituted "superscore" for "composite score" in (1)(B)(i); and added (1)(B)(ii).

The 2019 amendment by No. 910 substituted "Adult Education Section of the Division of Workforce Services" for "Department of Career Education" in (1)(B) [now (1)(B)(i)].

The 2021 amendment by No. 80 deleted former (1)(A).

The 2021 amendment by No. 636 inserted "basic eligibility" in the introductory language; redesignated former (1)(B)(i) as (1)(B) [now (1)]; deleted former (1)(B)(ii); and added "on a 4.0 scale" in (2).

6-85-209. [Repealed.]

Publisher's Notes. This section, concerning additional eligibility requirements for a current achiever student, was

repealed by Acts 2021, No. 636, § 1, effective April 12, 2021. The section was derived from Acts 2009, No. 605, § 4; 2009,

No. 606, § 4; 2010, No. 265, § 8; 2010, No. 294, § 8; 2011, No. 207, § 9; 2019, No. 462, § 5; 2019, No. 910, §§ 2165, 2166.

6-85-210. Continuing eligibility.

(a)(1)(A) A recipient who meets continuing eligibility criteria under this subchapter shall receive a scholarship for one (1) academic year renewable annually until the recipient has earned one hundred twenty (120) semester credit hours.

(B) A recipient may continue to receive a scholarship after he or she has earned one hundred twenty (120) semester credit hours, but not more than one hundred thirty (130) semester credit hours, if the student is enrolled in a baccalaureate degree program that requires more than one hundred twenty (120) semester credit hours as provided under § 6-61-232.

(2) A semester in which a student withdraws or fails to complete the number of credit hours for which the student first enrolled is counted toward the maximum number of semesters for which the student may receive a scholarship award under this subchapter.

(3) The maximums under this subsection apply to any degree program, regardless of whether or not the degree program requires additional semesters.

(4) A recipient may attend summer terms at the student's own expense to earn credit hours necessary to maintain eligibility for a scholarship under this subchapter.

(b) To maintain eligibility for an Arkansas Academic Challenge Scholarship under this subchapter, a recipient shall:

(1) Continue to meet the relevant eligibility requirements of this subchapter while a recipient of a scholarship under this subchapter;

(2)(A) Meet the satisfactory academic progress standards required to receive other financial aid at the approved institution of higher education where the recipient is enrolled, as determined by the Division of Higher Education in conjunction with the institution of higher education where the recipient is enrolled.

(B)(i) A recipient who does not successfully complete any credit hours toward degree completion in a semester in which he or she received a scholarship under this subchapter immediately forfeits the remainder of the scholarship award for that academic year.

(ii) The division shall notify the recipient of the loss of eligibility under this subdivision (b)(2)(B).

(C) By accepting scholarship funds under this subchapter, the receiving institution certifies that students will be enrolled in courses that will meet satisfactory academic progress standards leading toward a certificate, an associate degree, a nursing diploma, a baccalaureate degree, or a graduate-level or professional degree;

(3) Complete all remedial courses required by the approved institution of higher education by the time the student completes the first thirty (30) semester hours attempted after receiving the scholarship if the recipient is enrolled in one (1) or more remedial courses;

(4) Earn a postsecondary grade point average of 2.5 or higher on a 4.0 scale at an approved institution of higher education;

(5) Enroll in courses that lead toward a baccalaureate degree or graduate-level or professional degree after attempting the lesser of:

(A) Five (5) semesters; or

(B) The completion of an associate degree program; and

(6) Meet any other continuing eligibility criteria established by the division.

(c)(1) A traditional student recipient who loses eligibility for a scholarship may apply as a first-time nontraditional student.

(2) A recipient under subdivision (c)(1) of this section who loses eligibility for the nontraditional student scholarship is not eligible to apply for a scholarship under any eligibility provision of this subchapter.

(d) If a recipient is subject to losing a scholarship under subsection (c) of this section due to a catastrophic event experienced by the recipient or a family member of the recipient, the division may waive the requirements of this section and determine the appropriate requirements for the recipient to either retain or regain the scholarship.

History. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2009, No. 1405, §§ 11-14; 2010, No. 265, §§ 9, 10; 2010, No. 294, §§ 9, 10; 2011, No. 207, §§ 10, 11; 2013, No. 1106, § 1; 2013, No. 1173, §§ 7-9; 2015, No. 1250, § 1; 2017, No. 597, §§ 3-5; 2017, No. 719, §§ 3, 4; 2019, No. 910, §§ 2167-2173; 2021, No. 636, § 1.

A.C.R.C. Notes. Acts 2013, No. 1106, § 1, omitted subdivision (b)(2)(B) of this section without specifically repealing it.

Amendments. The 2017 amendment by No. 597 rewrote (a)(1); added “or a graduate-level or professional degree” at the end of (b)(2)(A)(iii); and substituted “degree or graduate-level or professional degree” for “degree program” in (b)(5).

The 2017 amendment by No. 719 added (a)(4); and rewrote (c).

The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Education” in (b)(2)(A)(i); and substituted “division” for “department” throughout the section.

The 2021 amendment deleted “meet the following requirements” following “a recipient shall” in the introductory language of (b); deleted “A recipient shall” at the beginning of (b)(1), (b)(2), and (b)(4)-(6); inserted “relevant” in (b)(1); deleted former (b)(2)(B) and redesignated former (b)(2)(A)(ii) and (iii) as (b)(2)(B) and (C); rewrote (b)(3); inserted “on a 4.0 scale” in (b)(4); and updated an internal reference.

6-85-211. [Repealed.]

Publisher’s Notes. This section, concerning literacy tutoring, was repealed by Acts 2021, No. 636, § 1, effective April 12,

2021. The section was derived from Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2019, No. 910, § 2174.

6-85-212. Scholarship award amounts.

(a) The General Assembly may use net proceeds from the state lottery to fund the scholarships awarded under this subchapter and to supplement the state-supported student financial assistance that the General Assembly determines is necessary to meet the state’s objective for broadening and increasing access of Arkansas citizens to higher education.

(b) Net proceeds from the state lottery used to fund scholarships under this subchapter shall:

(1) Be used exclusively for the purposes set out in Arkansas Constitution, Amendment 87, and this subchapter; and

(2) Supplement and shall not supplant nonlottery state educational resources.

(c) The scholarships established under this subchapter are subject to available funding and do not create for any student an entitlement to financial assistance to enable the student's attendance at an approved institution of higher education.

(d)(1)(A) Subject to the availability of net revenue, the scholarship award amount under this subchapter for an academic year for a full-time recipient enrolled in a four-year approved institution of higher education is:

(i) One thousand dollars (\$1,000) for a recipient who has earned less than twenty-seven (27) semester credit hours;

(ii) Four thousand dollars (\$4,000) for a recipient who has earned at least twenty-seven (27) semester credit hours but less than fifty-seven (57) semester credit hours;

(iii) Four thousand dollars (\$4,000) for a recipient who has earned at least fifty-seven (57) semester credit hours but less than eighty-seven (87) semester credit hours; and

(iv)(a) Five thousand dollars (\$5,000) for a recipient who has earned at least eighty-seven (87) semester credit hours but no more than one hundred twenty (120) semester credit hours unless the recipient is enrolled in a baccalaureate degree program that requires more than one hundred twenty (120) semester credit hours, but not more than one hundred thirty (130) semester credit hours, as provided under § 6-61-232, then up to the number of credit hours required to complete the baccalaureate program.

(b) A recipient shall receive no more than one (1) year of the scholarship provided under subdivision (d)(1)(A)(iv)(a) of this section unless the recipient is enrolled in a baccalaureate degree program that requires more than one hundred twenty (120) semester credit hours as provided under § 6-61-232.

(c)(1) A recipient who is eligible to receive the scholarship under subdivision (d)(1)(A)(iv)(a) of this section may receive the scholarship while enrolled in a semester as a part-time student.

(2) The scholarship amount for the semester in which a recipient is enrolled as a part-time student under subdivision (d)(1)(A)(iv)(c)(1) of this section shall be prorated by the number of credit hours in which the recipient is enrolled.

(B)(i) To determine the correct scholarship award amount based on credit hours, a first-time recipient shall submit a current college or university transcript if the first-time recipient has earned any semester credit hours to the Division of Higher Education no later than a date determined by the division prior to the academic year for which the first-time recipient will receive an initial scholarship award.

(ii) A first-time recipient who does not submit a transcript to the division on or before June 1 shall receive the award amount under subdivision (d)(1)(A)(i) of this section.

(C)(i) An applicant may elect for the earned semester credit hours under subdivision (d)(1)(A) of this section to be only those semester credit hours earned after graduating from high school or obtaining a high school equivalency diploma approved by the Adult Education Section.

(ii) If an applicant makes the election under subdivision (d)(1)(C)(i) of this section, any semester credit hours earned through concurrent credit or any other method before graduating high school or obtaining a high school equivalency diploma approved by the Adult Education Section shall not be counted as earned semester credit hours for the purposes of determining a recipient's scholarship award amount under subdivision (d)(1)(A) of this section.

(2)(A) The division shall award an aggregate amount of scholarship awards to nontraditional students of up to fifteen million dollars (\$15,000,000).

(B)(i) The division shall return to the Office of the Arkansas Lottery the excess funding, if any, for scholarship awards under this subchapter the division received under § 23-115-801.

(ii) The office shall deposit any funds received from the division under this subdivision (d)(2)(B) into the Lottery Scholarship Trust Account established under § 23-115-801(b).

(C) Priority for scholarships awarded to nontraditional students is based on:

(i) The applicant's level of progress toward completion of a certificate, an associate degree, a nursing diploma, a baccalaureate degree, or a graduate-level or professional degree; or

(ii) Other criteria established by the division.

(3) Subject to the availability of net revenue, the scholarship award for an academic year for a full-time student enrolled in one (1) of the following institutions of higher education is one thousand dollars (\$1,000) for the first year and three thousand dollars (\$3,000) for the second year:

(A) A two-year approved institution of higher education;

(B) A branch campus of a four-year approved institution of higher education; or

(C) An approved school of nursing.

(4) Subject to the availability of net revenue, the scholarship award amount for a part-time student recipient shall be:

(A) One-half ($\frac{1}{2}$) of the award amount for a full-time student recipient, if the recipient is enrolled in at least six (6) semester hours but less than nine (9) semester hours; or

(B) Three-fourths ($\frac{3}{4}$) of the award amount for a full-time student recipient, if the recipient is enrolled in at least nine (9) semester hours but less than the number of hours required for a full-time student recipient.

(5) A current recipient who maintains eligibility for the scholarship under this subchapter shall continue to receive the scholarship award amount first awarded to the recipient.

(6) The division shall give priority for a scholarship award to a full-time or part-time student:

(A) Who meets the eligibility requirements under this subchapter; and

(B) Whose parent, by birth or legal adoption:

(i) Was a resident of the State of Arkansas at the time that person entered the service of the United States Armed Forces or whose official residence is in Arkansas; and

(ii) Was a member of the United States Armed Forces who was killed while performing military duty:

(a) In a status identified under 32 U.S.C. § 101 et seq. or 10 U.S.C. § 101 et seq. as they existed on January 1, 2011; or

(b) In state active duty status.

(e) Annually by December 15, the Legislative Council shall provide to the General Assembly its recommendations for any changes to the:

(1) Award amounts;

(2) Number or type of scholarships; and

(3) Eligibility requirements.

(f) It is the intent of the General Assembly that in determining award amounts under this subchapter the General Assembly will consider whether sufficient funds will be available to pay for scholarship awards through the anticipated completion of the degree or certificate a recipient is seeking.

(g) All awards under this subchapter are subject to the prohibition under § 6-80-105 against using public funds in a student financial package in excess of the recognized cost of attendance at the institution where the student is enrolled.

(h)(1) If the division has less than a sufficient amount from net proceeds from the state lottery to provide for the scholarship commitments under this subchapter, the division shall give priority for continued financial support under this subchapter to a student with continuing eligibility superior to first-time applicants.

(2) If the funding is insufficient to fully fund the scholarships for students with continuing eligibility created under this subchapter, the division shall award scholarships based upon the following criteria to students with continuing eligibility as follows:

(A) First, to students who have the highest level of progress toward completion of a certificate, an associate degree, a baccalaureate degree, or a graduate-level or professional degree, and who are enrolled in a program of study that is:

(i) In an area of critical workforce need as determined by the division; or

(ii) In a science, technology, engineering, or mathematics field;

(B) Second, to students who have the highest level of progress toward completion of a certificate, an associate degree, a baccalaure-

ate degree, or a graduate-level or professional degree, and who are enrolled in a program of study other than those listed in subdivision (h)(2)(A) of this section; and

(C) Last, in the event funding is insufficient to fully fund students under subdivision (h)(2)(A) or subdivision (h)(2)(B) of this section, to students who have the highest postsecondary grade point average. (3)(A) If, after funding all students with continuing eligibility under this section, funding is insufficient to fund all qualified first-time applicants, the division shall award scholarships to first-time applicants in order of priority based upon the applicants' ACT superscore or ACT-equivalent superscore.

(B) If, after prioritizing first-time applicants based upon the applicants' ACT or ACT-equivalent scores, funding is insufficient to fund all applicants with like ACT or ACT-equivalent scores, the division shall determine who receives an award by random drawing.

History. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2009, No. 1405, §§ 15-22; 2010, No. 265, §§ 11-13; 2010, No. 294, §§ 11-13; 2011, No. 207, §§ 12-14; 2011, No. 825, § 1; 2011, No. 1180, § 1; 2013, No. 234, §§ 1-3; 2015, No. 218, §§ 8-10; 2015, No. 1105, §§ 3-6; 2015, No. 1250, §§ 2, 3; 2015, No. 1258, §§ 8, 9; 2017, No. 597, §§ 6-12; 2017, No. 613, §§ 1, 2; 2017, No. 1008, § 6; 2017, No. 1041, § 1; 2018, No. 197, § 45; 2019, No. 549, § 5; 2019, No. 834, § 2; 2019, No. 910, §§ 2175-2181; 2021, No. 636, § 1.

A.C.R.C. Notes. Pursuant to § 1-2-207, subdivision (e)(1) of this section is set out above as amended by Acts 2015, No. 1250, §§ 2, 3. Subdivision (e)(1) of this section was also amended by Acts 2015, No. 1105, § 3 to read as follows:

"(e)(1)(A) Beginning with the 2016-2017 academic year, the scholarship award amount under this subchapter for an academic year for a full-time recipient enrolled in a four-year approved institution of higher education is:

"(i) One thousand dollars (\$1,000) for a recipient in his or her freshman year;

"(ii) Four thousand dollars (\$4,000) for a recipient in his or her sophomore year;

"(iii) Four thousand dollars (\$4,000) for a recipient in his or her junior year; and

"(iv) Five thousand dollars (\$5,000) for a recipient in his or her senior year.

"(B) The Department of Higher Education shall not accept new applications for scholarships for current achiever students under § 6-85-209 after June 1, 2012."

Acts 2015, No. 1250, § 4, provided: "For the 2015-2016 school year, a student par-

ticipating in the Arkansas Academic Challenge Scholarship Program — Part 2 may elect to be subject to the provisions of § 6-85-212(e)(1)(A) in effect for the 2016-2017 school year and thereafter."

Acts 2015, No. 1258, § 1, provided: "LEGISLATIVE FINDINGS. The General Assembly finds:

"(1) Amendment 92 to the Arkansas Constitution states in part: 'The General Assembly may provide by law for the review by a legislative committee of administrative rules promulgated by a state agency before the administrative rules become effective; and that administrative rules promulgated by a state agency shall not become effective until reviewed and approved by the legislative committee charged by law with the review of administrative rules under subdivision (a)(1) of this section';

"(2) As Amendment 92 does not define the term 'state agency', the General Assembly may establish a definition by law as part of its implementation of Amendment 92;

"(3) The General Assembly at this time wishes to exclude the Arkansas State Game and Fish Commission, the State Highway Commission, the Arkansas State Highway and Transportation Department, and institutions of higher education from the definition of 'state agency' applied to the implementation of Amendment 92; and

"(4) The General Assembly or the Legislative Council reserve the right to amend the definition of 'state agency' in

the future to include one (1) or all of the Arkansas State Game and Fish Commission, the State Highway Commission, the Arkansas State Highway and Transportation Department, and institutions of higher education."

Publisher's Notes. Acts 2015, No. 1258, §§ 8, 9 specifically amended this section as amended by Acts 2015, No. 218.

Acts 2017, No. 1041, § 1 specifically amended this section as amended by Acts 2017, No. 597, § 8.

Amendments. The 2017 amendment by No. 597 substituted "the scholarship" for "a five-thousand-dollar scholarship" in (e)(1)(A)(iv)(b); added (e)(1)(A)(iv)(c) and (e)(1)(D); rewrote (e)(2)(C); added "or a graduate-level or professional degree" in (i)(2)(A) and (i)(2)(B); substituted "Department of Higher Education" for "department" in (e)(2)(C)(ii); deleted (j); and made stylistic changes.

The 2017 amendment by No. 613 rewrote (e)(2)(A); inserted "under this subchapter" in (e)(2)(B)(i); and deleted (j).

The 2017 amendment by No. 1008, in (e)(1)(C)(i), inserted "first-time", substituted "college or university transcript" for "transcript", and substituted "a date determined by the department prior to the academic year for which the first-time recipient will receive an initial scholarship award" for "June 1 each year" at the end.

The 2017 amendment by No. 1041, in (e)(1)(D)(i), added "An applicant may elect for" at the beginning and substituted "to be only those" for "are those"; added "If an applicant makes the election under subdivision (e)(1)(D)(i) of this section" at the

beginning of (e)(1)(D)(ii); and made stylistic changes.

The 2018 amendment substituted "fifteen million dollars (\$15,000,000)" for "twelve million dollars (\$12,000,000)" in (e)(2)(A).

The 2019 amendment by No. 549 substituted "applicants' ACT superscore or ACT-equivalent superscore" for "applicants' highest ACT or ACT-equivalent scores" in (i)(3)(A).

The 2019 amendment by No. 834 deleted "if the recipient is enrolled in the number of credit hours necessary to complete the recipient's degree program" at the end of (e)(1)(A)(iv)(c)(1).

The 2019 amendment by No. 910 substituted "Division of Higher Education" for "Department of Higher Education" throughout the section; and substituted "Adult Education Section of the Division of Workforce Services" for "Department of Career Education" in (e)(1)(D)(i) and (e)(1)(D)(ii).

The 2021 amendment deleted former (c) and redesignated the remaining subsections accordingly; substituted "Subject to the availability of net revenue" for "Beginning with the 2016-2017 academic year" at the beginning of (d); deleted (d)(1)(B) and redesignated the remaining subdivisions accordingly; deleted "beginning with the 2017-2018 academic year" following "students" in (d)(2)(A); substituted "the Lottery Scholarship Trust Account" for "a trust account" in (d)(2)(B)(ii); deleted "and current achiever students" preceding "is" in the introductory language of (d)(2)(C); added "Subject to the availability of net revenue" in (d)(3) and (4); and updated internal references and made stylistic changes.

6-85-213. Nursing school eligibility.

(a)(1) The General Assembly recognizes that the State of Arkansas is experiencing a critical shortage of nurses.

(2) It is the intent of this section to allow the Division of Higher Education the opportunity, under specific circumstances, to include an approved school of nursing that would not otherwise be an approved institution of higher education in the Arkansas Academic Challenge Scholarship Program.

(b) The division shall make awards to applicants attending an approved school of nursing under this section if the recipient meets continuing eligibility requirements in § 6-85-210.

(c) The division shall pay scholarship awards under this section only from nonlottery state educational resources.

History. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2009, No. 1405, § 23; 2019, No. 910, § 2182; 2021, No. 636, § 1.

Amendments. The 2019 amendment substituted “Division of Higher Educa-

tion” for “Department of Higher Education” in (a)(2); and substituted “division” for “department” in (b) and (c).

The 2021 amendment made no changes to this section.

6-85-214. Accountability — Transparency — Legislative oversight.

(a) The General Assembly finds that:

(1) The continual evaluation of the Arkansas Academic Challenge Scholarship Program and of all state-supported scholarship and grant programs by the General Assembly is critical for maximizing the benefits to the state and its citizens of state financial aid for higher education and meeting state objectives for higher education; and

(2) Accountability and transparency in the implementation of state-supported scholarship programs are fundamental to a proper evaluation of the programs.

(b) The General Assembly finds that the collection of data and the reports required under §§ 6-85-216 — 6-85-220 and § 6-60-901 et seq. are necessary to ensure accountability and transparency.

History. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2013, No. 1173, § 10; 2021, No. 636, § 1.

Amendments. The 2021 amendment made no changes to this section.

6-85-215. [Repealed.]

Publisher’s Notes. This section, concerning student consent form, was repealed by Acts 2013, No. 1173, § 11. The section was derived from Acts 2009, No.

605, § 4; 2009, No. 606, § 4; 2010, No. 265, § 14; 2010, No. 294, § 14; 2011, No. 207, §§ 15, 16; 2011, No. 635, § 1.

6-85-216. Institution report to Division of Higher Education.

(a)(1)(A) An approved institution of higher education that enrolls students receiving scholarships under this subchapter annually shall provide information and semiannually shall provide updated information to the Division of Higher Education regarding all state-supported student financial assistance, whether or not the state-supported student financial assistance is awarded under this subchapter.

(B) An approved institution of higher education is not required to provide the information described in subdivision (a)(1)(A) of this section to the division if the information has previously been reported to the division through the Arkansas Higher Education Information System or the state financial aid information system.

(2) The information described in subdivision (a)(1)(A) of this section shall be provided in the form of individual student records and shall include without limitation information regarding:

(A) The criteria for determining eligibility for scholarships under this subchapter;

(B) Demographic student data; and

(C) Disaggregated data on remedial courses.

(3)(A) An approved institution of higher education shall undertake the procedures necessary to ensure the collection and reporting of student information under this section.

(B) An approved institution of higher education may lose its approved status for receiving scholarship funds on behalf of a recipient under this subchapter if it fails to make a good-faith effort to comply with this section.

(C) In addition to the provisions of subdivision (a)(3)(B) of this section, an institution of higher education that does not comply with this section shall not be eligible to accept state aid from the Higher Education Grants Fund Account on behalf of a student.

(b) The division shall establish by rule the:

(1) Specific data required;

(2) Manner of reporting the information required; and

(3) Technology or software required for reporting.

(c) The division shall use the information provided under this section to conduct the research and analysis needed to support the annual report of the Director of the Division of Higher Education to the Legislative Council under § 6-85-205.

History. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2013, No. 1173, § 12; 2015, No. 218, § 11; 2015, No. 1258, § 10; 2019, No. 910, § 2183; 2021, No. 80, § 3; 2021, No. 636, § 1.

A.C.R.C. Notes. Acts 2015, No. 1258, § 1, provided: “LEGISLATIVE FINDINGS. The General Assembly finds:

“(1) Amendment 92 to the Arkansas Constitution states in part: ‘The General Assembly may provide by law for the review by a legislative committee of administrative rules promulgated by a state agency before the administrative rules become effective; and that administrative rules promulgated by a state agency shall not become effective until reviewed and approved by the legislative committee charged by law with the review of administrative rules under subdivision (a)(1) of this section’;

“(2) As Amendment 92 does not define the term ‘state agency’, the General Assembly may establish a definition by law as part of its implementation of Amendment 92;

“(3) The General Assembly at this time wishes to exclude the Arkansas State Game and Fish Commission, the State Highway Commission, the Arkansas State Highway and Transportation Department, and institutions of higher education from the definition of ‘state agency’ applied to the implementation of Amendment 92; and

“(4) The General Assembly or the Legislative Council reserve the right to amend the definition of ‘state agency’ in the future to include one (1) or all of the Arkansas State Game and Fish Commission, the State Highway Commission, the Arkansas State Highway and Transportation Department, and institutions of higher education.”

Publisher’s Notes. Acts 2015, No. 1258, § 10 specifically amended this section as amended by Acts 2015, No. 218.

Amendments. The 2019 amendment substituted “division” for “department” in the section heading, in the introductory language of (b), and in (c); and substituted “Division of Higher Education” for “De-

partment of Higher Education” in (a)(1) and (c).

The 2021 amendment by No. 80 added (a)(1)(B), and redesignated former (a)(1) as (a)(1)(A); inserted “shall” following “semiannually” in (a)(1)(A); inserted “described in subdivision (a)(1)(A) of this section” in (a)(2); substituted “The criteria for

determining eligibility for scholarships under this subchapter” for “State-supported student financial assistance” in (a)(2)(A); and made a stylistic change.

The 2021 amendment by No. 636 substituted “Division of Higher Education” for “the division” in the section heading.

6-85-217. Information provided to Bureau of Legislative Research by Division of Higher Education.

The Division of Higher Education shall provide the following data to the Bureau of Legislative Research through the Arkansas Higher Education Information System under § 6-60-901 et seq., for the purpose of assisting the General Assembly with evaluation and analysis under this subchapter:

- (1) Existing individual student data;
- (2) Institutional data;
- (3) Financial data;
- (4) Aggregate student scholarship and grant application and award data;
- (5) Remedial course data; and
- (6) Other data needed to track scholarship and grant students receiving state-supported student financial assistance from year to year.

History. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2010, No. 265, §§ 15, 16; 2010, No. 294, §§ 15, 16; 2011, No. 207, § 17; 2013, No. 1173, § 13; 2019, No. 910, § 2184; 2021, No. 636, § 1.

A.C.R.C. Notes. The 2013 amendment omitted subsections (c) through (f) without striking through the language to indi-

cate its repeal.

Amendments. The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Education” in the section heading and in the introductory language.

The 2021 amendment made stylistic changes in the section heading.

6-85-218. [Repealed.]

Publisher’s Notes. This section, concerning creation of the advisory council, was repealed by Acts 2010, Nos. 265 and

294, § 17. The section was derived from Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2009, No. 1405, § 24.

6-85-219. Reports to legislative committees.

(a)(1) Annually by November 1, the Division of Higher Education shall report to the Legislative Council in the manner and format that the Legislative Council requires on all state-supported student financial assistance awarded by the division and awarded by approved institutions of higher education.

(2) The information provided shall include without limitation:

(A) Current year expenditures for scholarships and grants under the Arkansas Academic Challenge Scholarship Program;

(B) Projected obligations for succeeding years from each scholarship or grant funding source;

(C) Fund balances for the:

(i) Higher Education Grants Fund Account; and

(ii) Trust accounts maintained by the Director of the Division of Higher Education to hold the net proceeds from the state lottery;

(D) An evaluation of whether the net proceeds from the state lottery available for the program supplement and do not supplant nonlottery state educational resources; and

(E) Other information that the Legislative Council or the General Assembly requests.

(b) Annually by December 1, the division shall report to the Legislative Council its recommendations for changes to the program, including without limitation:

(1) Adjustments to the eligibility requirements of the program; and

(2) Increases or decreases in the amounts awarded for a scholarship under the program based on the amount of net proceeds from the state lottery available.

(c) Annually by December 31, the division shall report to the Legislative Council summary-level data, in accordance with § 6-85-216, on recipients of scholarships under this subchapter.

History. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2013, No. 1173, § 14; 2013, No. 1269, § 1; 2015, No. 218, § 12; 2015, No. 1258, § 11; 2017, No. 868, § 1; 2019, No. 910, § 2185; 2021, No. 80, § 4; 2021, No. 636, § 1.

A.C.R.C. Notes. Acts 2013, No. 1173 omitted subsections (c) and (d) without striking through the language to indicate its repeal.

Acts 2015, No. 1258, § 1, provided: “LEGISLATIVE FINDINGS. The General Assembly finds:

“(1) Amendment 92 to the Arkansas Constitution states in part: ‘The General Assembly may provide by law for the review by a legislative committee of administrative rules promulgated by a state agency before the administrative rules become effective; and that administrative rules promulgated by a state agency shall not become effective until reviewed and approved by the legislative committee charged by law with the review of administrative rules under subdivision (a)(1) of this section’;

“(2) As Amendment 92 does not define the term ‘state agency’, the General Assembly may establish a definition by law as part of its implementation of Amendment 92;

“(3) The General Assembly at this time wishes to exclude the Arkansas State Game and Fish Commission, the State Highway Commission, the Arkansas State Highway and Transportation Department, and institutions of higher education from the definition of ‘state agency’ applied to the implementation of Amendment 92; and

“(4) The General Assembly or the Legislative Council reserve the right to amend the definition of ‘state agency’ in the future to include one (1) or all of the Arkansas State Game and Fish Commission, the State Highway Commission, the Arkansas State Highway and Transportation Department, and institutions of higher education.”

Publisher’s Notes. Acts 2015, No. 1258, § 11 specifically amended this section as amended by Acts 2015, No. 218.

Amendments. The 2017 amendment substituted “November” for “August” in (a)(1).

The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Education” in (a)(1) and (a)(2)(C)(ii); and substituted “division” for “department” in (a)(1) and the introductory language of (b) and (c).

The 2021 amendment by No. 80, in (c), substituted “summary-level data, in ac-

cordance with § 6-85-216, on recipients of scholarships under this subchapter” for “the following information on recipients of the Arkansas Academic Challenge Scholarship Program — Part 2 who applied as of June 1” and deleted former (c)(1)-(4).

The 2021 amendment by No. 636 deleted “Part 2” following “Arkansas Academic Challenge Scholarship Program” in (a)(2)(A); and substituted “program” for “Arkansas Academic Challenge Scholarship Program – Part 2” in (c).

6-85-220. Legislative Council — Annual report.

(a) The Legislative Council shall:

(1) Oversee the development and implementation of Arkansas Code requirements with regard to the Arkansas Academic Challenge Scholarship Program;

(2) Review whether and how the use of net state lottery proceeds helps to accomplish state objectives for higher education;

(3) Review the ongoing data collection, research, and evaluation of the program;

(4) Review the annual report of the Division of Higher Education under § 6-85-219;

(5) Review and recommend changes to the:

(A) Number of awards for each scholarship and grant;

(B) Award levels;

(C) Eligibility requirements; and

(D) Overall administration of the program; and

(6) Review and recommend policies for scholarships and grants funded with nonlottery state educational resources, including without limitation ways to ensure that net proceeds from the state lottery are used to supplement and not supplant nonlottery state educational resources.

(b) Annually by December 15, the Legislative Council shall report its findings and recommendations to the:

(1) Office of the Arkansas Lottery;

(2) President Pro Tempore of the Senate;

(3) Speaker of the House of Representatives;

(4) Governor;

(5) House Committee on Education; and

(6) Senate Committee on Education.

History. Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2011, No. 207, § 18; 2015, No. 218, § 12; 2015, No. 1258, § 11; 2019, No. 910, § 2186; 2021, No. 636, § 1.

A.C.R.C. Notes. Acts 2015, No. 1258, § 1, provided: “LEGISLATIVE FINDINGS. The General Assembly finds:

“(1) Amendment 92 to the Arkansas Constitution states in part: ‘The General Assembly may provide by law for the review by a legislative committee of administrative rules promulgated by a state agency before the administrative rules become effective; and that administrative

rules promulgated by a state agency shall not become effective until reviewed and approved by the legislative committee charged by law with the review of administrative rules under subdivision (a)(1) of this section’;

“(2) As Amendment 92 does not define the term ‘state agency’, the General Assembly may establish a definition by law as part of its implementation of Amendment 92;

“(3) The General Assembly at this time wishes to exclude the Arkansas State Game and Fish Commission, the State

Highway Commission, the Arkansas State Highway and Transportation Department, and institutions of higher education from the definition of 'state agency' applied to the implementation of Amendment 92; and

"(4) The General Assembly or the Legislative Council reserve the right to amend the definition of 'state agency' in the future to include one (1) or all of the Arkansas State Game and Fish Commission, the State Highway Commission, the Arkansas State Highway and Transporta-

tion Department, and institutions of higher education."

Publisher's Notes. Acts 2015, No. 1258, § 11 specifically amended this section as amended by Acts 2015, No. 218.

Amendments. The 2019 amendment substituted "Division of Higher Education" for "Department of Higher Education" in (a)(4).

The 2021 amendment deleted "Director of the" preceding "Division of Higher Education" in (a)(4); and added the designations within (b).

6-85-221. Scholarship hold — Leave of absence.

(a) The Division of Higher Education may approve a scholarship hold or a leave of absence for a traditional student for a period of twenty-four (24) months or less.

(b) The reasons for a scholarship hold or a leave of absence may include without limitation:

(1) A medical condition of the student or a member of the student's immediate family that, on the basis of a physician's good-faith judgment, necessitates the student or the student's immediate family member to be hospitalized or receive outpatient or home-based medical care or to recuperate until released by the attending physician;

(2) A personal or family emergency that requires the student to:

(A) Attend the funeral of an immediate family member; or

(B) Visit a relative of the student if the relative has a medical condition in which death is possible or imminent;

(3) Military service under § 6-61-112; or

(4)(A) A commitment of twelve (12) to twenty-four (24) months for service in a national or international humanitarian project sponsored by a nonprofit corporation organized with a charitable or educational purpose.

(B) The student's commitment shall be expressed in a written agreement with the nonprofit organization including the terms of completion for the student's service on the related project.

(C) The division shall release a scholarship hold or a leave of absence, whichever is applicable, if the division determines that the student did not complete the commitment under the written agreement.

History. Acts 2011, No. 207, § 19; 2019, No. 910, §§ 2187, 2188; 2021, No. 636, § 1.

Amendments. The 2019 amendment substituted "Division of Higher Education" for "Department of Higher Education" in (a); and substituted "division" for "department" twice in (b)(4)(C).

The 2021 amendment added "Leave of absence" in the section heading; inserted "or a leave of absence" in (a) and the introductory language of (b); and inserted "or a leave of absence, whichever is applicable" in (b)(4)(C).

SUBCHAPTER 3 — ARKANSAS WORKFORCE CHALLENGE SCHOLARSHIP PROGRAM

SECTION.

- 6-85-301. Creation.
- 6-85-302. Definitions.
- 6-85-303. Funding.
- 6-85-304. Eligibility.

SECTION.

- 6-85-305. Distribution — Award amounts.
- 6-85-306. Agreements between institutions.
- 6-85-307. Rules.

Effective Dates. Acts 2017, No. 613, § 7: Mar. 23, 2017. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this state is in need of a more educated and skilled workforce; that the Arkansas Workforce Challenge Scholarships available under this act will allow more Arkansans to pursue higher education in order to obtain a skill or better education that will lead to employment in a high-needs occupation in Arkansas; and that this act is immediately necessary to allow the funding to be in place so that Arkansas Workforce Challenge Scholarships can be awarded to Arkansans as soon as possible. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2019, No. 910, § 6346(b): July 1, 2019. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act revises the duties of certain state entities; that this act establishes new departments of the state; that these revisions impact the expenses and operations of state government; and that the sections of this act other than the two uncoded sections of this act preceding the emer-

gency clause titled 'Funding and classification of cabinet-level department secretaries' and 'Transformation and Efficiencies Act transition team' should become effective at the beginning of the fiscal year to allow for implementation of the new provisions at the beginning of the fiscal year. Therefore, an emergency is declared to exist, and Sections 1 through 6343 of this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019."

Acts 2021, No. 636, § 11: Apr. 12, 2021. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that it is imperative to ensure existing scholarships can be funded with current available funds; that it is necessary to determine whether enacting a new scholarship is fiscally prudent; and that this act is immediately necessary in order to review each bill that creates or amends a lottery-funded scholarship in light of existing scholarships and available funds to ensure financial solvency of the lottery. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-85-301. Creation.

There is created the Arkansas Workforce Challenge Scholarship Program.

History. Acts 2017, No. 613, § 3.

6-85-302. Definitions.

As used in this subchapter:

(1) "Approved institution of higher education" means an institution of higher education approved by the Division of Higher Education to participate in the Arkansas Workforce Challenge Scholarship Program and that is:

(A) A state-supported two-year or four-year college or university; or

(B) A private, nonprofit two-year or four-year college or university with its primary headquarters located in Arkansas that is eligible to receive Title IV federal student aid funds; and

(2)(A) "Certificate program" means a program that is offered or made available to a student by an approved institution of higher education that leads to the obtainment of a certification or license, including without limitation a program operated or sponsored by a third party.

(B) The credit hours or contact hours awarded for a certificate program may include credit hours or contact hours that are not creditable toward an associate or a baccalaureate degree.

History. Acts 2017, No. 613, § 3; 2019, No. 910, § 2189.

substituted "Division of Higher Education" for "Department of Higher Education" in the introductory language of (1).

Amendments. The 2019 amendment

6-85-303. Funding.

(a) For an academic year, the following shall be used to fund Arkansas Workforce Challenge Scholarships under this subchapter:

(1) Excess funding returned to the Office of the Arkansas Lottery under § 6-85-212(d)(2)(B)(i) from the previous academic year; and

(2) Net proceeds remaining from the previous academic year after the office:

(A) Transfers the funds requested by the Division of Higher Education under § 23-115-801(c)(2); and

(B) Deposits the amount necessary to maintain the Scholarship Shortfall Reserve Trust Account under § 23-115-802 in an amount equal to twenty million dollars (\$20,000,000).

(b)(1) A scholarship under this subchapter shall not be awarded for an academic year if:

(A) Less than two hundred fifty thousand dollars (\$250,000) is available under subsection (a) of this section; or

(B) The division received a loan from the account under § 23-115-802 for the Arkansas Academic Challenge Scholarship Program, § 6-85-201 et seq., for the previous academic year.

(2) Any funds under subsection (a) of this section that are not disbursed for scholarships under this subchapter shall be carried over to the next academic year to be used for scholarships under this subchapter.

History. Acts 2017, No. 613, § 3; 2019, No. 910, §§ 2190, 2191; 2021, No. 636, § 2.

Amendments. The 2019 amendment substituted "Division of Higher Education" for "Department of Higher Educa-

tion" in (a)(2)(A); and substituted "division" for "department" in (b)(1)(B).

The 2021 amendment substituted "§ 6-85-212(d)(2)(B)(i)" for "§ 6-85-212(e)(2)(B)(i)" in (a)(1).

6-85-304. Eligibility.

(a) A student is eligible to receive an Arkansas Workforce Challenge Scholarship for an academic year if the student applies to the Division of Higher Education by a date determined by the Division of Higher Education preceding the academic year and:

(1) Is an Arkansas resident or, if the student is less than twenty-one (21) years of age, either the student or one (1) parent of the student is an Arkansas resident;

(2) Meets either of the following requirements:

(A) Graduated from a:

(i) Public high school in Arkansas or another state;

(ii) Private high school in Arkansas or another state; or

(iii) Home school under § 6-15-501 et seq. or recognized by another state; or

(B) Received a high school equivalency diploma approved by the Adult Education Section or another state;

(3) Is not receiving a scholarship under the Arkansas Academic Challenge Scholarship Program, § 6-85-201 et seq.;

(4) Is accepted for admission in a program of study at an approved institution of higher education that leads to an associate degree or a certificate program in one (1) of the following high-demand fields:

(A) Industry;

(B) Health care; and

(C) Information technology; and

(5)(A) Whose program of study or certificate program will result in the student's being qualified to work in an occupation identified by the Division of Workforce Services under subdivision (a)(5)(B)(i) of this section.

(B)(i) The Division of Workforce Services shall provide annually to the Division of Higher Education by March 1 a list that identifies the five (5) most in-demand occupations in this state in each high-demand field under subdivision (a)(4) of this section that require the completion of a program of study that leads to an associate degree or a certificate program.

(ii) The Division of Workforce Services shall publish on its website the list under subdivision (a)(5)(B)(i) of this section and data supporting the list.

(b)(1) A student who received a scholarship under this subchapter and successfully completed a program of study or certificate program that meets the requirements under subdivision (a)(4) of this section is eligible to reapply for a scholarship under this subchapter if the student is accepted for admission in a different program of study or certificate program that meets the requirements under subdivision (a)(4) of this section.

(2) A student who received a scholarship under this subchapter and does not successfully complete the program of study or certificate program is eligible to reapply for and receive a scholarship one (1) time only.

History. Acts 2017, No. 613, § 3; 2019, No. 910, §§ 167-169.

Amendments. The 2019 amendment substituted “Division of Higher Education” for “Department of Higher Education”

tion” and “Division of Workforce Services” for “Department of Workforce Services” throughout (a); and substituted “Adult Education Section” for “Department of Career Education” in (a)(2)(B).

6-85-305. Distribution — Award amounts.

(a) If funds are available, the Division of Higher Education shall distribute Arkansas Workforce Challenge Scholarships to all students who meet the requirements under § 6-85-304.

(b)(1) The division shall distribute scholarships from the funds available in an equal amount to every student eligible to receive a scholarship under this subchapter.

(2) Except as provided in subsection (c) of this section, the maximum scholarship award a student may receive in an academic year shall be the lesser of:

(A) Eight hundred dollars (\$800); or

(B)(i) The cost of the certificate program or program of study.

(ii) The cost of a certificate program or program of study shall include:

(a) Tuition, fees, or other charges;

(b) Textbooks or other course materials; and

(c) Equipment needed for a course.

(3) The scholarship awards may be used for expenses included in the cost of the certificate program or program of study.

(4) A scholarship under this section shall be only for the academic year for which it is awarded.

(c)(1) If the division has funds remaining after making the distributions under subsection (b) of this section, the division shall distribute scholarships to students for the summer term of the academic year.

(2) If funds are available under subdivision (c)(1) of this section, a student shall apply for a scholarship for a summer term by a date determined by the division preceding the summer term.

(3)(A) The division shall distribute scholarships for a summer term in the same manner as under subsection (b) of this section.

(B) Scholarships for a summer term may be used in the same manner as under subsection (b) of this section.

(4) A student who received a scholarship under subsection (b) of this section may also receive a scholarship for a summer term.

(d) The division shall disburse scholarship awards on behalf of an eligible student directly to the approved institution of higher education.

History. Acts 2017, No. 613, § 3; 2019, No. 910, § 2192.

Amendments. The 2019 amendment substituted "Division of Higher Educa-

tion" for "Department of Higher Education" in (a); and substituted "division" for "department" throughout the section.

6-85-306. Agreements between institutions.

An approved institution of higher education may enter into agreements with other institutions of higher education, including without limitation technical institutes, to allow students enrolled in the approved institution of higher education under this subchapter to take courses at the other institutions of higher education.

History. Acts 2017, No. 613, § 3; 2019, No. 692, § 15.

Amendments. The 2019 amendment substituted "subchapter" for "section".

6-85-307. Rules.

The Division of Higher Education shall promulgate rules to implement this subchapter.

History. Acts 2017, No. 613, § 3; 2019, No. 910, § 2193.

Amendments. The 2019 amendment

substituted "Division of Higher Education" for "Department of Higher Education".

SUBCHAPTER 4 — ARKANSAS CONCURRENT CHALLENGE SCHOLARSHIP PROGRAM

SECTION.

6-85-401. Creation.

6-85-402. Definitions.

6-85-403. Eligibility.

6-85-404. Funding.

SECTION.

6-85-405. Distribution — Award amounts.

6-85-406. Rules.

6-85-401. Creation.

There is created the Arkansas Concurrent Challenge Scholarship Program.

History. Acts 2019, No. 456, § 1.

6-85-402. Definitions.

As used in this subchapter:

(1) "Approved institution of higher education" means an institution of higher education that:

(A) Is approved by the Division of Higher Education to participate in the Arkansas Concurrent Challenge Scholarship Program;

(B) Offers at least a fifty-percent discount on the tuition and mandatory fees of an endorsed concurrent enrollment course or certificate program to a student who is enrolled in an endorsed concurrent enrollment course or certificate program, unless other opportunities are provided that lower the tuition and mandatory fees below fifty percent (50%); and

(C) Is a:

(i) State-supported two-year or four-year college or university; or
(ii) Private, nonprofit two-year or four-year college or university that has its primary headquarters located in Arkansas and that is eligible to receive Title IV federal student aid funds;

(2)(A) "Certificate program" means a program that is offered or made available to a student by an approved institution of higher education that leads to the obtainment of a certification or license.

(B) "Certificate program" does not include a program that is operated or sponsored by a third party;

(3)(A) "Endorsed concurrent enrollment course" means the same as defined in § 6-16-1202.

(B) "Endorsed concurrent enrollment course" does not include a program that is operated or sponsored by a third party; and

(4) "Student" means a person who has junior or senior status and who is enrolled at a:

- (A) Public high school in Arkansas;
- (B) Private high school in Arkansas; or
- (C) Home school, as defined in § 6-15-501.

History. Acts 2019, No. 456, § 1.

6-85-403. Eligibility.

(a) A student is eligible to receive an Arkansas Concurrent Challenge Scholarship under this subchapter for an academic semester or academic year during which the student is enrolled in an endorsed concurrent enrollment course or certificate program if the student:

(1) Is an Arkansas resident or, if the student is less than twenty-one (21) years of age, either the student or one (1) parent of the student is an Arkansas resident; and

(2)(A) Submits a student success plan as described under § 6-15-2911(b).

(B) The student success plan required under subdivision (a)(2)(A) of this section for a student who is enrolled in an endorsed concurrent enrollment course or certificate program shall:

(i) Be prepared in consultation with:

(a) School personnel, the student, and the student's parent or legal guardian; or

(b) A college advisor; and

(ii) Include:

(a) An endorsed concurrent enrollment course or certificate program that is relevant to the student's success plan; and

(b) Measures that ensure the successful completion of the endorsed concurrent enrollment course or certificate program in which the student is enrolled.

(b)(1) A student successfully completes an endorsed concurrent enrollment course or a course taken towards the completion of a certificate program under this subchapter if he or she completes the course or program and receives a minimum grade point average of 2.5.

(2)(A) A student who fails to successfully complete an endorsed concurrent enrollment course or a course taken towards the completion of a certificate program under this subchapter shall:

(i) Retain eligibility for a scholarship under this subchapter; and

(ii) Enroll in no more than one (1) endorsed concurrent enrollment course or course required for the completion of a certificate program for the first semester following the semester in which the student failed to successfully complete an endorsed concurrent enrollment course or course taken towards the completion of a certificate program.

(B) However, if a student fails an endorsed concurrent enrollment course or a course taken towards the completion of a certificate program under this subchapter a second time, the student shall be ineligible to reapply for a scholarship under this subchapter.

(c) A student whose enrollment in a vocational center is reimbursable under § 6-51-305 is not eligible for a scholarship under this subchapter.

History. Acts 2019, No. 456, § 1; 2021, No. 82, § 1.

Amendments. The 2021 amendment substituted “grade point average of 2.5” for “letter grade of ‘C’ or the equivalent” in

(b)(1); and, in (b)(2)(A)(ii), substituted “no more than” for “only”, inserted “first”, and deleted “immediately” preceding “following”.

6-85-404. Funding.

(a) For an academic year, Arkansas Concurrent Challenge Scholarships under this subchapter shall be funded with any funds remaining after the Division of Higher Education allocates sufficient funding to award Arkansas Workforce Challenge Scholarships under § 6-85-301 et seq., at a level equivalent to the awards made in the previous academic year.

(b)(1) A scholarship under this subchapter shall not be awarded for an academic year if:

(A) Less than two hundred fifty thousand dollars (\$250,000) is available under subsection (a) of this section; or

(B) The division received a loan from the Scholarship Shortfall Reserve Trust Account under § 23-115-802 for the Arkansas Academic Challenge Scholarship Program, § 6-85-201 et seq., for the previous academic year.

(2) Any funds under subsection (a) of this section that are not disbursed for scholarships under this subchapter shall be carried over

to the next academic year to be used for scholarships under this subchapter.

History. Acts 2019, No. 456, § 1.

6-85-405. Distribution — Award amounts.

(a) If funds are available, the Division of Higher Education shall award Arkansas Concurrent Challenge Scholarships to all students who meet the requirements under this subchapter.

(b)(1) The division shall distribute scholarships from the funds available in an equal amount to every approved institution of higher education that has enrolled a student eligible to receive a scholarship under this subchapter.

(2) The maximum scholarship award a student may receive in an academic year shall be the lesser of:

(A)(i) Five hundred dollars (\$500).

(ii) A scholarship awarded to a student who is eligible under § 6-85-403 shall be awarded in the amount of one hundred twenty-five dollars (\$125) for each endorsed concurrent enrollment credit course or certificate program in which the eligible student is enrolled, up to two (2) endorsed concurrent enrollment credit courses or certificate programs per semester; or

(B) The tuition and mandatory fees of the endorsed concurrent credit course or certificate program.

(3) A scholarship granted under this section may be awarded in addition to any funds received for the enrollment in an endorsed concurrent enrollment course under § 6-16-1204(e)(3).

(4) Unless a student's high school or community-based program provides financial assistance for the cost of tuition and mandatory fees for an endorsed concurrent enrollment course or certificate program, the remaining cost of tuition and mandatory fees for an endorsed concurrent enrollment course or certificate program is the responsibility of the eligible student who is enrolled in the endorsed concurrent enrollment course or certificate program.

History. Acts 2019, No. 456, § 1.

6-85-406. Rules.

The Division of Higher Education shall promulgate rules to implement this subchapter.

History. Acts 2019, No. 456, § 1.

SUBCHAPTER 5 — PROCEDURAL REQUIREMENTS FOR CREATING OR AMENDING LOTTERY-FUNDED SCHOLARSHIPS

SECTION.

6-85-501. Introduction of bills.

6-85-502. Lottery fiscal impact statements — Required form.

SECTION.

6-85-503. Consideration of bills.

Effective Dates. Acts 2021, No. 636, § 10, provided: “The requirement under § 6-85-501 of this act that the following bills be introduced in the General Assembly during the first thirty-one (31) calendar days of a regular session shall take effect on and after July 1, 2021: (1) A bill that creates a new scholarship to be funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable; and (2) A bill that affects an existing scholarship that is funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable.”

Acts 2021, No. 636, § 11: Apr. 12, 2021. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that it is imperative to ensure existing scholarships can be funded with current available funds; that

it is necessary to determine whether enacting a new scholarship is fiscally prudent; and that this act is immediately necessary in order to review each bill that creates or amends a lottery-funded scholarship in light of existing scholarships and available funds to ensure financial solvency of the lottery. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

6-85-501. Introduction of bills.

(a) The following proposed legislation to be considered by the General Assembly at a regular session shall be introduced in the General Assembly during the first thirty-one (31) calendar days of a regular session:

(1) A bill that creates a new scholarship to be funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable; and

(2) A bill that affects an existing scholarship that is funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable.

(b)(1) A bill creating a new scholarship to be funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, or affecting an existing scholarship that is funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, shall not be introduced after the thirty-first day of a regular session unless its introduction is first approved by a three-fourths vote of the full membership of each chamber of the General Assembly.

(2) If the General Assembly recesses for longer than three (3) consecutive days during the first thirty-one (31) days of a regular session, the deadline imposed under this section shall be extended for a time period equal to the recess.

(c) A bill creating a new scholarship to be funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, or affecting an existing scholarship that is funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, shall not be introduced or considered at a special session or fiscal session of the General Assembly unless the introduction or consideration of the bill is first approved by a two-thirds vote of the full membership of each chamber of the General Assembly.

History. Acts 2021, No. 636, § 3.

6-85-502. Lottery fiscal impact statements — Required form.

(a) Any bill filed with the Senate or the House of Representatives that creates a new scholarship to be funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, or affects an existing scholarship that is funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, shall:

(1)(A) Have a lottery fiscal impact statement attached to it.

(B) A bill that creates a new scholarship to be funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, or affects an existing scholarship that is funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, shall not be taken up by the House Committee on Education and the Senate Committee on Education, meeting jointly, until a lottery fiscal impact statement is attached; and

(2) Not take effect until at least one (1) year immediately following the year in which the scholarship was enacted.

(b) The lottery fiscal impact of a bill that creates a new scholarship to be funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, or affects an existing scholarship that is funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, shall be determined as follows:

(1) The amount of net proceeds from the state lottery during each of the last four (4) years immediately preceding the year in which the proposed bill is being considered, listed separately;

(2) The total amount of additional revenue that is not net proceeds from the state lottery that is available, if any, to use as additional funding for scholarships;

(3) The amount of net proceeds necessary to fund scholarships under the Arkansas Academic Challenge Scholarship Program, § 6-85-201 et

seq., during each of the last four (4) years immediately preceding the year in which the proposed bill is being considered, listed separately;

(4) The amount of net proceeds necessary to fund scholarships under the Arkansas Workforce Challenge Scholarship Program, § 6-85-301 et seq., during each of the last four (4) years immediately preceding the year in which the proposed bill is being considered, listed separately;

(5) The amount of net proceeds that was necessary to fund scholarships under the Arkansas Concurrent Challenge Scholarship Program, § 6-85-401 et seq., during each of the last four (4) years immediately preceding the year in which the proposed bill is being considered, listed separately;

(6) The amount of net proceeds necessary to fund any other scholarships funded with net proceeds from the state lottery, if any, during each of the last four (4) years, or number of years available, immediately preceding the year in which the proposed bill is being considered, listed separately;

(7) The year with the lowest amount of net proceeds from the state lottery, as determined under subdivision (b)(1) of this section, shall be compared with each of the following, listed separately:

(A) The year with the highest amount of net proceeds necessary to fund scholarships under the Arkansas Academic Challenge Scholarship Program, § 6-85-201 et seq., as determined under subdivision (b)(3) of this section;

(B) The year with the highest amount of net proceeds necessary to fund scholarships under the Arkansas Workforce Challenge Scholarship Program, § 6-85-301 et seq., as determined under subdivision (b)(4) of this section;

(C) The year with the highest amount of net proceeds necessary to fund scholarships under the Arkansas Concurrent Challenge Scholarship Program, § 6-85-401 et seq., as determined under subdivision (b)(5) of this section; and

(D) The year with the highest amount of net proceeds necessary to fund any other scholarships funded with net proceeds from the state lottery, if any, as determined under subdivision (b)(6) of this section; and

(8) The highest estimated cost necessary to fund a new scholarship to be funded with net proceeds from the state lottery or an existing scholarship that is funded with net proceeds from the state lottery.

(c) In addition to the information required under subsection (b) of this section, the final lottery fiscal impact of the new scholarship to be funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, or an existing scholarship that is funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, shall include and be calculated as follows:

(1) Add the amount of net proceeds from the year with the lowest amount of net proceeds from the state lottery as determined under subdivision (b)(1) of this section to the total amount of additional revenue available, if any, under subdivision (b)(2) of this section;

(2) Add the amount determined under subdivision (b)(8) of this section to each of the amounts determined under:

- (A) Subdivision (b)(7)(A) of this section;
- (B) Subdivision (b)(7)(B) of this section;
- (C) Subdivision (b)(7)(C) of this section; and
- (D) Subdivision (b)(7)(D) of this section, if any; and

(3) Subtract the total amount determined under subdivision (c)(2) of this section from the total amount determined under subdivision (c)(1) of this section.

(d)(1)(A) If the final lottery fiscal impact as determined under subdivision (c)(3) of this section results in a positive number, the House Committee on Education and the Senate Committee on Education, meeting jointly during a regular session, extraordinary session, or fiscal session, as applicable, may refer a bill creating a new scholarship to be funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, or amending an existing scholarship funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, to either chamber of the General Assembly for consideration.

(B) The referral of a bill under subdivision (d)(1)(A) of this section shall require approval by a separate vote of House Committee on Education members and Senate Committee on Education members, meeting jointly during a regular session, extraordinary session, or fiscal session, as applicable.

(2) If the final lottery fiscal impact as determined under subdivision (c)(3) of this section results in a negative number, the House Committee on Education and the Senate Committee on Education, meeting jointly during a regular session, extraordinary session, or fiscal session, as applicable, shall not refer the bill to either chamber of the General Assembly for consideration unless:

(A) The bill is amended to ensure the final lottery fiscal impact results in a positive number; or

(B) Additional funding is provided through the General Revenue Fund Account.

(e) The lottery fiscal impact statement shall be substantially in the following form:

Lottery Fiscal Impact Statement	
I. Net proceeds from the state lottery for the 4 immediately preceding years:	
Year:	Net Proceeds Amount:
_____	_____
_____	_____
_____	_____

II. Total amount of additional revenue available, if any:

Source:	Amount:
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

III. Net proceeds used to fund the following during the 4 immediately preceding years:

ACADEMIC CHALLENGE SCHOLARSHIP:		CONCURRENT CHALLENGE SCHOLARSHIP:	
Year:	Net Proceeds Used:	Year:	Net Proceeds Used:
<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>

WORKFORCE CHALLENGE SCHOLARSHIP:		OTHER SCHOLARSHIPS, IF ANY:	
Year:	Net Proceeds Used:	Year:	Net Proceeds Used:
<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>

AMOUNT USED TO FUND NURSING SCHOOL SCHOLARSHIPS*:		*Scholarship awards paid to recipients attending approved schools of nursing are funded only from nonlottery state educational resources as set forth under Arkansas Code § 6-85-213.
Year:	Net Proceeds Used:	
<hr/>	<hr/>	
<hr/>	<hr/>	
<hr/>	<hr/>	

IV. Comparison of information from Parts I and III:

Amount from year with the highest amount of net proceeds used to fund Academic Challenge Scholarships

Amount from
year with the
highest amount
of net proceeds
used to fund
Workforce
Challenge
Scholarships

Amount from year with the low-
est amount of net proceeds as de-
termined under Section I

Amount from
year with the
highest amount
of net proceeds
used to fund
Concurrent
Challenge
Scholarships

Amount from
year with the
highest amount
of net proceeds
used to fund
other scholar-
ships, if any,
other than
nursing schol-
arships under
Arkansas Code
§ 6-85-213

V. Highest estimated cost necessary to fund a new or amended schol-
arship:

VI. Final lottery fiscal impact amount:

Step 1:

Amount from
year with the
lowest amount of
net proceeds
determined un-
der Section I

+

Total amount of
additional
revenue avail-
able, if any,
determined un-
der Section II

= _____

Step 2:

Highest esti-
mated cost
necessary to fund
new or
amended scholar-
ship as
determined un-
der Section V

+

Total amount
from years with
the highest
amount of net
proceeds used to
fund Academic
Challenge, Work-
force Challenge,
Concurrent Chal-
lenge, nursing
school
scholarships, and
other
scholarships, if
any, as
determined un-
der Section III

= _____

Step 3:

Amount deter-
mined under
Step 1

-

Amount deter-
mined under
Step 2

= _____

Step 4:

(a) If the amount determined under Step 3 results in a positive number, the proposed new scholarship or amendment to an existing scholarship may be considered as set forth under Arkansas Code § 6-85-502(d)(1).

(b) If the amount determined under Step 3 results in a negative number, the proposed new scholarship or amendment to an existing scholarship should not be considered unless requirements are met as set forth under Arkansas Code § 6-85-502(d)(2).

History. Acts 2021, No. 636, § 3.

6-85-503. Consideration of bills.

(a) The House Committee on Education and the Senate Committee on Education shall meet jointly during a regular session, extraordinary session, or fiscal session, as applicable, to consider any bill:

(1) Creating a new scholarship to be funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable; or

(2) Affecting an existing scholarship that is funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable.

(b) A bill creating a new scholarship to be funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, or affecting an existing scholarship that is funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, shall not be recommended to either chamber of the General Assembly except upon the affirmative vote of a majority of the members of the following, meeting jointly during a regular session, extraordinary session, or fiscal session, as applicable:

(1) House Committee on Education; and

(2) Senate Committee on Education.

(c) A lottery fiscal impact statement prepared for a bill as required under § 6-85-502 shall be amended each time the House Committee on Education and the Senate Committee on Education recommend to either chamber of the General Assembly a bill creating a new scholarship to be funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, or affecting an existing scholarship that is funded with net proceeds from the state lottery or the Higher Education Grants Fund Account, as applicable, in order to account for the updated lottery fiscal impact, if any, the bill that proposes a new scholarship or amends an existing scholarship will have.

History. Acts 2021, No. 636, § 3.

Index to Title 6 (60-85)

A

**ACADEMIC CHALLENGE
SCHOLARSHIP PROGRAM,**
§§6-85-201 to 6-85-221.

ACTIONS.

Colleges and universities.

- Forming open and robust university minds (FORUM) act.
- Remedies for violations, §6-60-1009.
- Statute of limitations, §6-60-1010.

Forming open and robust university minds (FORUM) act.

- Remedies for violations, §6-60-1009.
- Statute of limitations, §6-60-1010.

ADULT EDUCATION.

**Arkansas workforce challenge
scholarship program,** §§6-85-301
to 6-85-307.

ADVERTISING.

Colleges and universities.

- Private outside work using campus facilities.
- Publicity and advertising to show institution and state not contractually obligated, §6-62-401.

AFFIDAVITS.

University of Arkansas.

- Accounts and accounting.
- Dealers to file itemized accounts, §6-64-1006.
- Attachment of affidavits, §6-64-1006.

AFFIRMATIVE ACTION PROGRAMS.

Colleges and universities, §6-63-103.

AGRICULTURAL COLLEGES.

Arkansas state university system.

Generally, §§6-65-201 to 6-65-226.

Arkansas Tech university.

Generally, §§6-65-301 to 6-65-305.

Districts.

Division of state into districts,
§6-65-101.

Schools.

Admissions, §6-65-105.

AGRICULTURAL COLLEGES

—Cont'd

Districts —Cont'd

Schools —Cont'd

Boards of trustees.

Course of study provided by
trustees, §§6-65-102, 6-65-103.

Nepotism, §6-65-107.

Cooperation on research and
publications, §6-65-109.

Faculty, §§6-65-107, 6-65-108.

Labor.

Student to perform labor about
school, §6-65-106.

Publication and research.

Cooperation, §6-65-109.

Rental of unused facilities.

Authorized, §6-65-111.

Reports.

Contents, §6-65-112.

Same educational status, §6-65-102.

Students.

Perform labor about school,
§6-65-106.

Subjects taught, §6-65-102.

Tuition, §6-65-105.

Unused facilities.

Rental.

Authorized, §6-65-111.

Status.

Same educational status in all four
districts, §6-65-102.

Engineering management college.

Arkansas state university at
Jonesboro, §§6-65-206, 6-65-207.

Southern Arkansas university.

Generally, §§6-65-401 to 6-65-413.

AGRICULTURE.

University of Arkansas.

Division of agriculture, §§6-64-701 to
6-64-718.

ALCOHOLIC BEVERAGES.

University of Arkansas for medical sciences.

Medical department.

Chair on alcoholism and drug abuse
prevention, §6-64-412.

ALIENS.**College tuition.**

Nontraditional documented
immigrants, classification as
in-state, §6-60-215.

Tuition.

Nontraditional documented
immigrants, classification as
in-state, §6-60-215.

AMERICAN SIGN LANGUAGE.**Colleges and universities.**

Qualification as foreign language,
§6-61-125.

APPEALS.**Agricultural colleges.**

Arkansas polytechnic college.
Board of trustees, removal of
members, §6-65-301.
Arkansas state university system.
Board of trustees, removal of
members, §6-65-201.
Southern Arkansas University.
Board of trustees, removal of
members, §6-65-401.
Eminent domain, §6-65-403.

Colleges and universities.

Disciplinary actions against students.
Appeal proceedings, right to counsel,
§6-60-109.
Higher education technology and
facility improvement act of 2005.
Priority of appeals, §6-62-1122.
Improvement districts.
Assessments, §6-71-107.
Actions to enforce lien, §6-71-136.

University of Central Arkansas.

Board of trustees.
Removal of members, §6-67-102.

APPRAISALS AND APPRAISERS.**Colleges and universities.**

Transfer and lease of state university
property.
Determination of fair market value,
§6-62-610.

APPROPRIATIONS.**Agricultural colleges.**

Southern Arkansas university,
§6-65-408.

University of Arkansas.

Application of funds for specified
purposes only, §6-64-1002.

University of Arkansas at Little Rock.

College of information science and
engineering, §6-64-1102.

ARKANSAS ACADEMIC**CHALLENGE SCHOLARSHIP**

PROGRAM, §§6-85-201 to 6-85-221.

ARKANSAS BRIGHTER FUTURE

FUND PLAN ACT, §§6-84-101 to
6-84-114.

ARKANSAS CONCURRENT**CHALLENGE SCHOLARSHIP**

PROGRAM, §§6-85-401 to 6-85-406.

ARKANSAS ENERGY SUMMARY

AND REPORT, §§6-61-1601 to
6-61-1603.

ARKANSAS FUTURE GRANT

PROGRAM, §§6-82-1801 to
6-82-1805.

Amount of grant, §6-82-1803.

Conversion of grant into repayable
loan, §6-82-1804.

Definitions, §6-82-1801.

Disbursement of grant funds,
§6-82-1803.

Eligibility of student, §6-82-1802.

Establishment of program,
§6-82-1802.

Order of award, §6-82-1803.

Recipient requirements, §6-82-1804.

Rulemaking to implement
provisions, §6-82-1805.

Written agreement with recipient,
§6-82-1804.

ARKANSAS GEOGRAPHICAL**CRITICAL NEEDS MINORITY****TEACHER SCHOLARSHIP****PROGRAM ACT OF 2001,**

§§6-82-1501 to 6-82-1506.

ARKANSAS HEAVY EQUIPMENT**OPERATOR TRAINING**

ACADEMY, §§6-61-531 to 6-61-533.

Appropriated funds, §6-61-533.

Establishment, §6-61-531.

Funding, §6-61-533.

Hiring practices, §6-61-532.

Operation, §6-61-532.

ARKANSAS STATE COLLEGE.

Successor institution, §§6-65-201 to
6-65-226.

ARKANSAS STATE

UNIVERSITY-BEEBE, §§6-65-217
to 6-65-226.

Admissions, §6-65-212.

Board of trustees.

Powers, §6-65-208.

Cooperation with other agricultural
schools, §6-65-215.

ARKANSAS STATE**UNIVERSITY-BEEBE —Cont'd****Faculty**, §6-65-211.**Fund**, §6-65-216.**Rental of unused property**, §6-65-214.**Staff**, §6-65-211.**State technical institute.**Courses of study and training,
§6-65-220.

Legislative intent, §6-65-217.

Tuition, §6-65-212.**ARKANSAS STATE UNIVERSITY
SYSTEM.****Board of trustees.**

Appointment of members, §6-65-201.

Composition, §6-65-201.

Creation, §6-65-201.

Duties, §6-65-202.

Expenses of members, §6-65-201.

Number of members, §6-65-201.

Oath of office, §6-65-201.

Powers, §6-65-202.

Removal of members, §6-65-201.

Vacancies, §6-65-201.

**Chancellors or directors of branch
campuses.**

Housing allowances, §6-65-226.

Eminent domain, §6-65-203.

Appeals, §6-65-203.

Procedure, §6-65-203.

Engineering management college.

Jonesboro facility, §6-65-207.

Curriculum, schedule and structure,
§6-65-207.Research and education program,
§6-65-206.**Federal aid.**Participation authorized, §6-65-205.
Vouchers.Drawing by disbursing agent,
§6-65-204.**Housing allowances.**Chancellors of branch campuses,
§6-65-226.**Jonesboro facility.**

Engineering management college.

Curriculum, schedule and structure,
§6-65-207.

Established, §6-65-207.

Research and educational program.

Conducting program, §6-65-206.

Established, §6-65-206.

State aid.

Participation authorized, §6-65-205.

ARKANSAS TECH UNIVERSITY,

§§6-65-301 to 6-65-305.

Board of trustees.

Appointment of members, §6-65-301.

Composition, §6-65-301.

Creation, §6-65-301.

Duties, §6-65-302.

Expenses of members, §6-65-301.

Number of members, §6-65-301.

Oath of office, §6-65-301.

Powers, §6-65-302.

Qualifications of members, §6-65-301.

Removal of members, §6-65-301.

Vacancies, §6-65-301.

Easements.Authority to grant easements to lands,
§6-65-305.

Proceeds.

Disposition, §6-65-305.

Hot Springs branch, §6-65-303.**Mineral lands.**

Lease authorized, §6-65-304.

Proceedings, §6-65-304.

ASSEMBLY.**Right of assembly.**Forming open and robust university
minds (FORUM) act, §§6-60-1001
to 6-60-1010.**ATHLETIC CONTESTS.****Colleges and universities.**Athletic programs, §§6-62-801 to
6-62-807.**Football.**University of Arkansas radio
broadcasts, §6-64-104.**ATTORNEY GENERAL.****Colleges and universities.**

Eminent domain.

Legal representation of board of
trustees, §6-62-201.**ATTORNEYS AT LAW.****Colleges and universities.**

Disciplinary actions against students.

Appeal proceedings, right to counsel,
§6-60-109.**University of Arkansas.**

Law school, §§6-64-601 to 6-64-621.

AUDITS AND AUDITORS.**Colleges and universities.**Public access and inspection of audit
reports, §6-60-108.**Student loans.**

Guarantee foundation.

Annual audit, §6-81-206.

B**BASKETBALL.****University of Arkansas.**

Radio broadcasts, §6-64-104.

BLIND AND VISUALLY IMPAIRED.**Colleges and universities.**

Electronic versions of instructional materials.

Transcription into Braille, §6-68-105.

BOARDS AND COMMISSIONS.**Graduate medical education**

residency expansion board,

§§6-82-2001 to 6-82-2005.

Nurses.

Graduate nurse educator loan and scholarship board, §6-81-1202.

Osteopathic rural medical practice student loans and scholarship board, §6-81-1803.**BOND ISSUES.****Colleges and universities.**

Higher education technology and facility improvement, §§6-62-1101 to 6-62-1122.

Improvement districts.

Authority, §6-71-115.

Savings bonds, §§6-62-701 to 6-62-726.

Community colleges.

Technical college and community college capital improvements, §§6-61-1001 to 6-61-1014.

Refunding bonds.

Colleges and universities.

Buildings.

Bond issues, §6-62-312.

Technical college and community college capital improvements,

§§6-61-1001 to 6-61-1014.

University of Arkansas.

Legal education fund, §§6-64-607 to 6-64-619.

BONDS, SURETY.**Colleges and universities.**

Improvement districts.

Collectors and treasurer, §6-71-114.

Student loans.

Guarantee foundation.

Disbursing officer, §6-81-203.

University of Arkansas.

Military department.

Giving bond to United States to secure use of arms for military department, §6-64-1003.

Execution by surety company.

Amount, §6-64-1003.

BORROWING MONEY.**Colleges and universities.**

Private borrowing, §6-62-105.

BRIGHTER FUTURE FUND PLAN

ACT, §§6-84-101 to 6-84-114.

Accounts.

Assignment prohibited, §6-84-110.

Contributions, §6-84-107.

Prohibitions, §6-84-110.

Defined, §6-84-103.

Employer matching contributions, §§6-84-107, 6-84-110, 6-84-111.

Establishment, §6-84-107.

Withdrawals, §6-84-109.

Tax deductions, §6-84-111.

Administration of provisions,

§6-84-105.

Aspiring scholars matching grant program, §6-84-114.

Citation of act, §6-84-101.

Definitions, §6-84-103.

Designated beneficiary, §6-84-108.

Defined, §6-84-103.

Immunities, §6-84-112.

Interpretation and construction.

Liberal construction of provisions, §6-84-113.

Investment committee, §6-84-105.

Immunities, §6-84-112.

Investments.

Direction of investment, §6-84-106.

Tax deductions, §6-84-111.

Legislative declaration, §6-84-102.

Purposes of act, §6-84-102.

Title of act, §6-84-101.

Trust.

Creation, §6-84-104.

Defined, §6-84-103.

Withdrawals from accounts,

§6-84-109.

Tax deductions, §6-84-111.

BUDGETS.**Colleges and universities.**

Board of higher education, §6-61-209.

Community colleges.

General operations, §6-61-601.

BUILDINGS AND CONSTRUCTION.**Colleges and universities.**

Bond issues.

Authorized, §6-62-305.

Board of higher education.

Review of proposed bond issues, §6-61-202.

BUILDINGS AND CONSTRUCTION

—Cont'd

Colleges and universities —Cont'd

Bond issues —Cont'd

Commission on coordination of
higher education finance.Advice necessary before issuance,
§6-62-306.Nonbinding effect of advice on
board of institution,
§6-62-306.Construction and effect of act,
§6-62-306.Information submitted to
commission, §6-62-306.

Notice of advice, §6-62-306.

Construction and interpretation.

Liberal construction, §6-62-301.

Execution of bonds or notes,
§6-62-307.

Liability on bonds, §6-62-309.

Liberal construction, §6-62-301.

Pledge of revenues, funds, etc.,
§6-62-305.Refinancing valid outstanding
obligations.Cancellation of refunded
outstanding obligations,
§6-62-312.

Terms and conditions, §6-62-312.

Refunding bonds.

Cancellation of refunded
outstanding obligations,
§6-62-312.

Terms and conditions, §6-62-312.

Related agreements authorized,
§6-62-310.Terms and conditions of bonds,
§6-62-308.

Buildings.

Self-liquidating projects, §6-62-307.

Construction.

Authorized, §6-62-302.

Exempted institutions for certain
high-value construction projects,
§6-62-314.

Fees and charges.

Fixing, §6-62-311.

Financing.

Authorized, §6-62-303.

Temporary financing, §6-62-304.

Improvement districts.

Inducing existing institution to move
to district, §6-71-141.

Purchase.

Authorized, §6-62-302.

BUILDINGS AND CONSTRUCTION

—Cont'd

Colleges and universities —Cont'd

Refunding bonds, §6-62-312.

Cancellation of refunded
outstanding obligations,
§6-62-312.

Rents.

Fixing, §6-62-311.

University of Arkansas.

Legal education fund.

Facilities for legal education,
§6-64-620.

Technology institute.

Improvement and construction of
property authorized, §6-64-805.**BUREAU OF LEGISLATIVE
RESEARCH.****Scholarships.**Academic challenge scholarship
program.

Accountability and transparency.

Information supplied to bureau by
higher education division,
§6-85-217.**C****CAREER EDUCATION.****Arkansas workforce challenge
scholarship program, §6-85-301
to 6-85-307.****CATASTROPHIC ILLNESS.****University and college employees.**Catastrophic leave bank program,
§§6-63-601, 6-63-602.**CHILD ABUSE AND NEGLECT.****Mandatory reporters.**

Training requirements, §6-61-133.

Reports.

Colleges and universities.

Training for mandatory reporters,
§6-61-133.**CHILDREN AND MINORS.****Colleges and universities.**

Improvement districts.

Assessments.

Actions to enforce lien.

Notice by publication for owners
under a disability,
§6-71-137.**CHINA.****Colleges and universities.**Foreign investments, transparency,
§§6-60-1201 to 6-60-1205.

CHIROPRACTIC SCHOOLS.

Tuition assistance for residents attending out of state schools, §6-81-1101.

CHIROPRACTORS.

Tuition assistance for residents attending out of state chiropractic school, §6-81-1101.

CLEAN INDOOR AIR ACT.**Colleges and universities.**

Clean air on campus, §§6-60-801 to 6-60-807.

COLLEGES AND UNIVERSITIES.

Academic challenge scholarship program, §§6-85-201 to 6-85-221.

Academic clemency, §6-60-207.

Academic credits.

Transfer of credits.

Statewide transfer agreement, §6-61-231.

Accountability and transparency at state-supported institutions.

Information to be posted on websites, §6-60-113.

Accounts and accounting.

State-supported institutions of higher education.

Accounts receivable policies, §6-61-131.

Accrediting agencies, restrictions on establishing, §6-61-136.**Admissions.**

College preparatory core curriculum completion required, §6-60-208.

Conditional collegiate admission process, §6-60-208.

Medically underserved areas.

Applicants from, §6-60-212.

Nonresidents.

Regulation of admission and enrollment, §6-60-201.

Off-campus enrollments, §6-60-203.

Standards to be developed by college or university, §6-60-208.

Advertising.

Private outside work using campus facilities.

Publicity and advertising to show institution and state not contractually obligated, §6-62-401.

Advisory committees and consuls, §6-61-204.**Affirmative action programs,** §6-63-103.**American sign language.**

Qualification as foreign language, §6-61-125.

COLLEGES AND UNIVERSITIES

—Cont'd

Appeals.

Disciplinary actions against students.

Right to counsel, §6-60-109.

Higher education technology and facility improvement act of 2005.

Priority of appeals, §6-62-1122.

Improvement districts.

Assessments, §6-71-107.

Actions to enforce lien, §6-71-136.

Appraisals and appraisers.

Transfer and lease of state university property.

Determination of fair market value, §6-62-610.

Arkansas college savings bond act of 1989, §§6-62-701 to 6-62-726.**Arkansas concurrent challenge scholarship program,** §§6-85-401 to 6-85-406.**Arkansas energy summary and report.**

Generally, §§6-61-1601 to 6-61-1603.

Participation by state-supported institutions engaged in energy research, §6-61-1601.

Arkansas future grant program, §§6-82-1801 to 6-82-1805.**Arkansas higher education information system,** §§6-60-901 to 6-60-903.**Arkansas State University system.**

Generally, §§6-65-201 to 6-65-226.

Arkansas Tech university.

Generally, §§6-65-301 to 6-65-305.

Arkansas workforce challenge scholarship program, §§6-85-301 to 6-85-307.**Associate degrees.**

Applied science degrees.

Mathematics requirement, §6-61-134.

Semester hours required to be completed, §6-61-232.

Athletic programs.

Assessment of student athletic fee, §6-62-804.

Board of trustees.

Certification of program, §6-62-805.

Declaration of purpose, §6-62-801.

Deficits, §6-62-804.

Definitions, §6-62-802.

Funding limits, §6-62-803.

Limits of funding, §6-62-803.

Purpose of subchapter, §6-62-801.

Reporting expenditures, §6-62-807.

COLLEGES AND UNIVERSITIES

—Cont'd

Athletic programs —Cont'd

Rulemaking power of state board of higher education, §6-62-806.

Star-Spangled Banner act.

Playing of national anthem at schools and school-sanctioned sporting events, §6-60-116.

State board of higher education.

Rulemaking authority, §6-62-806.

Uniform reporting of athletic expenditures and revenue, §6-62-106.

Women's athletic programs.

Discrimination prohibited, §6-62-806.

Attorney general.

Eminent domain.

Legal representation of board of trustees, §6-62-201.

Attorneys at law.

Disciplinary actions against students.

Appeal proceedings, right to counsel, §6-60-109.

Audits.

Enrollment data, §6-60-209.

Public access and inspection of audit reports, §6-60-108.

Baccalaureate degrees.

Semester hours required to be completed, §6-61-232.

Bankruptcy and insolvency.

Annual certification of solvency, §6-62-109.

Blind and visually impaired.

Electronic versions of instructional materials.

Transcription into Braille, §6-68-105.

Board of higher education.

Advisory committees and consuls.

Authority to establish, §6-61-204.

Athletic programs.

Rulemaking authority, §6-62-806.

Budgets, §6-61-209.

Chairman, §6-61-201.

Compensation, §6-61-201.

Director, §6-61-203.

Compensation, §6-61-203.

Qualifications, §6-61-203.

Duties, §6-61-202.

Endowments.

Administration, §6-61-213.

Existing boards unaffected by provisions, §6-61-103.

Federal aid.

State agency for federal programs, §6-61-212.

COLLEGES AND UNIVERSITIES

—Cont'd

Board of higher education —Cont'd

Meetings, §6-61-201.

Membership, §6-61-201.

Minority scholarship or grant program.

Annual review, §6-82-102.

New units of instruction, research and public service.

Defined, §6-61-208.

Proposals for.

Evaluation, §6-61-208.

Personnel.

Policies and administration, §6-61-214.

Planning.

Encouragement of participation, §6-61-305.

Master plan, §6-61-205.

Review of programs, §6-61-207.

Studies, surveys and evaluations, §6-61-206.

Powers, §6-61-202.

Review of programs, §6-61-207.

Savings bonds.

Powers and duties.

Issuance of bonds, §6-62-709.

Staff, §6-61-203.

Studies, §6-61-206.

Surveys, §6-61-206.

Technical or community college capital improvement bonds.

Authority of state board, §6-61-1010.

Terms of members, §6-61-201.

Transfer students.

Policies for, §6-61-216.

Trusts.

Administration, §6-61-213.

Tuition.

Reporting on student tuition and mandatory fees, §6-61-215.

Boards of trustees.

Athletic programs.

Certification of program, §6-62-805.

Bond issues.

Higher education technology and facility improvement, §§6-62-1101 to 6-62-1122.

Appeals.

Priority, §6-62-1122.

Authorization for issuance of bonds, §6-62-1105.

Authorization to issue, §6-62-1105.

Board of higher education.

Powers and duties, §6-62-1104.

Citation of act, §6-62-1101.

COLLEGES AND UNIVERSITIES

—Cont'd

Bond issues —Cont'd

- Higher education technology and facility improvement —Cont'd
 - Construction of provisions, §6-62-1119.
 - Debt service.
 - Limitation, §6-62-1106.
 - Transfer of funds for, §6-62-1112.
 - Definitions, §6-62-1103.
 - Election, §6-62-1108.
 - Employment to accomplish issuance and sale, §6-62-1118.
 - Enforcement of rights and liabilities, §6-62-1120.
 - Legislative findings, §6-62-1102.
 - Plan for projects, §6-62-1104.
 - Procedure for issuance, §6-62-1109.
 - Proceeds of bonds.
 - Deposit, §6-62-1114.
 - Investment, §6-62-1114.
 - Use, §6-62-1115.
 - Professionals.
 - Employment to accomplish issuance and sale of bonds, §6-62-1118.
 - Projects to be financed, §6-62-1107.
 - Refunding bonds, §6-62-1116.
 - Repayment of bonds.
 - Sources for, §6-62-1113.
 - Rights and liabilities.
 - Commencement, §6-62-1121.
 - Enforcement, §6-62-1120.
 - Sale of bonds, §6-62-1111.
 - Employment to accomplish issuance and sale, §6-62-1118.
 - Tax exemption of bonds, §6-62-1117.
 - Terms of bonds, §6-62-1110.
 - Title of act, §6-62-1101.
 - Improvement districts.
 - Authority, §6-71-115.
 - Savings bonds, §§6-62-701 to 6-62-726.
 - Technical college and community college capital improvements, §§6-61-1001 to 6-61-1014.
- Bonds, surety.**
- Improvement districts.
 - Collectors and treasurer, §6-71-114.
- Borrowing money.**
- Private borrowing, §6-62-105.
- Branch campus or program.**
- Duplication of services between institutions, §6-61-141.
 - Establishment.
 - Procedure for approval, §6-61-303.
- Budgets.**
- Board of higher education, §6-61-209.

COLLEGES AND UNIVERSITIES

—Cont'd

Buildings.

- Bond issues.
 - Authorized, §6-62-305.
 - Board of higher education.
 - Review of proposed bond issues, §6-61-202.
 - Commission on coordination of higher education finance.
 - Advice necessary prior to issuance, §6-62-306.
 - Nonbinding effect of advice on board of institution, §6-62-306.
 - Construction and effect of act, §6-62-306.
 - Information submitted to commission, §6-62-306.
 - Notice of advice, §6-62-306.
 - Construction and interpretation.
 - Liberal construction, §6-62-301.
 - Execution of bonds or notes, §6-62-307.
 - Liability on bonds, §6-62-309.
 - Liberal construction, §6-62-301.
 - Pledge of revenues, funds, etc., §6-62-305.
 - Refinancing valid outstanding obligations.
 - Cancellation of refunded outstanding obligations, §6-62-312.
 - Terms and conditions, §6-62-312.
 - Refunding bonds.
 - Cancellation of refunded outstanding obligations, §6-62-312.
 - Terms and conditions, §6-62-312.
 - Related agreements authorized, §6-62-310.
 - Terms and conditions of bonds, §6-62-308.
- Construction.
 - Authorized, §6-62-302.
 - Exempted institutions for certain high-value construction projects, §6-62-314.
- Fees and charges.
 - Fixing, §6-62-311.
- Financing.
 - Authorized, §6-62-303.
 - Temporary financing, §6-62-304.
- Purchase.
 - Authorized, §6-62-302.
- Refunding bonds, §6-62-312.
 - Cancellation of refunded outstanding obligations, §6-62-312.

COLLEGES AND UNIVERSITIES

—Cont'd

Buildings —Cont'd

Rents.

Fixing, §6-62-311.

Bylaws.

Unconstitutional or illegal references to race.

Removal, §6-61-113.

Campus bookstore advertising,

§6-60-605.

Campuses.

Smoking.

Clean air on campus, §§6-60-801 to 6-60-807.

Careers.

Employment and earning outcomes for degrees and certificates at institutions of higher education and state-supported technical institutes, §6-60-105.

Catastrophic leave bank program

for employees, §§6-63-601, 6-63-602.

Centers of excellence, §6-61-129.**Chancellors of universities.**

Contract for employment of president or chancellor, §6-60-114.

Housing allowance, §6-62-108.

Charters.

Unconstitutional or illegal references to race.

Removal, §6-61-113.

Child maltreatment mandatory reporters.

Training requirements, §6-61-133.

China.

Foreign investments, transparency, §§6-60-1201 to 6-60-1205.

Clean air on campus, §§6-60-801 to 6-60-807.

Definitions, §6-60-803.

Fines to enforce provisions, §6-60-807.

Legislative findings and intent, §6-60-802.

Prohibition of smoking, §6-60-804.

Notice, §6-60-805.

Rulemaking to implement provisions, §6-60-806.

Short title of provisions, §6-60-801.

Signs.

Prohibition communicated by means of "no smoking" signs, §6-60-805.

COLLEGES AND UNIVERSITIES

—Cont'd

College preparatory core curriculum.

Completion for unconditional admission to public institution of higher education, §6-60-208.

Commission on coordination of higher education finance.

Designation as state agency for grants under federal act, §6-62-313.

Common course numbering system, §6-61-1401 to 6-61-1407.

Additions or alterations, §6-61-1403.

Catalogs and listings to use, §6-61-1404.

Collection of data by department, §6-61-1407.

Included courses, §6-61-1402.

Non-state-supported schools, participation, §6-61-1405.

Purpose of provisions, §6-61-1401.

Review of listed courses, §6-61-1406.

Community college capital improvements.

Bond issues generally, §§6-61-1001 to 6-61-1014.

Comprehensive Arkansas higher education annual report, §6-60-701 to 6-60-705.**Concurrent challenge scholarship program,** §§6-85-401 to 6-85-406.**Conditional collegiate admission process,** §6-60-208.**Conservation.**

Courses of study, §6-61-107.

Consolidations and mergers, §6-60-102.**Constitution of the United States.**

Course required, §6-61-105.

Construction.

Buildings.

Self-liquidating projects, §6-62-306.

Exempted institutions for certain high-value construction projects, §6-62-314.

Improvement districts.

Inducing existing institution to move to district, §6-71-141.

Construction and interpretation.

Buildings.

Bond issues.

Commission on coordination of higher education financing, §6-62-306.

COLLEGES AND UNIVERSITIES

—Cont'd

Construction and interpretation

—Cont'd

Buildings —Cont'd

Bond issues —Cont'd

Liberal construction, §6-62-301.

Higher education technology and
facility improvement act of 2005,
§6-62-1119.**Constructive service.**

Improvement districts.

Assessment liens.

Actions to enforce.

Notice by constructive service,
§6-71-124.**Contracts.**Military training property and
equipment, §6-62-102.Southern regional education compact.
Board.Cooperation and contracts with
board, §6-61-402.Transfer and lease of property of state
university.

Execution of contracts, §6-62-605.

Conveyances.Transfer and lease of state university
property.Instruments of conveyance,
§6-62-611.**Core curriculum completion for
unconditional admission to
public institution of higher
education, §6-60-208.****Correction employees.**Scholarships for children of peace
officers, firefighters, teachers and
certain state employees,
§§6-82-501 to 6-82-507.**Course materials.**Textbooks and course materials,
§§6-60-601 to 6-60-605.**Course-selection advice to students,
§6-61-130.**Transferability of coursework, advice
on, §6-61-132.**Courses of study.**American history and civil
government, §6-61-105.American institutions and ideals,
§6-61-105.Common course numbering system,
§§6-61-1401 to 6-61-1407.Conservation of natural resources,
§6-61-107.Electrical energy advancement
program, §§6-61-1501 to
6-61-1503.**COLLEGES AND UNIVERSITIES**

—Cont'd

Courses of study —Cont'd

Mathematics courses.

Associate of applied science degrees.

Mathematics requirement,
§6-61-134.

Minimum college core.

Establishment, §6-61-218.

Transferability, §6-61-218.

Remedial courses.

Testing of entering freshmen,
§6-61-110.

Review, §6-61-226.

United States constitution, §6-61-105.

Damages.

Improvement districts.

Real property.

Petition to acquire private
property.Deposit to cover damages prior
to determination, §6-71-140.Determination of damages,
§6-71-140.

Payment of damages, §6-71-140.

Data processing.

Defined, §6-61-101.

Deaf, deaf or Hard of Hearing.American sign language as foreign
language, §6-61-125.**Definitions.**

Athletic programs, §6-62-802.

Catastrophic leave bank program,
§6-63-601.

Center of excellence, §6-61-129.

Data processing, §6-61-101.

Higher education technology and
facility improvement act of 2005,
§6-62-1103.

Improvement districts, §6-71-101.

Minor child, §6-60-210.

Savings bonds, §6-62-703.

Scholarships.

Peace officers, firefighters, teachers
and certain state employees,
§6-82-501.Transfer and lease of property of state
university, §6-62-601.

Tuition.

Prisoners of war or persons missing
or killed in action.Free tuition and fees for
dependents, §6-82-601.**Degree from non-certified
institutions.**

False academic credentials.

Criminal penalty for use of,
§6-61-135.

COLLEGES AND UNIVERSITIES

—Cont'd

Disabilities, individuals with.

Immunization of enrollees, §6-60-504.

Disciplinary actions against students.

Appeal proceedings, right to counsel, §6-60-109.

Discrimination.

Athletic programs.

Women's athletic programs.

Nondiscriminatory application of subchapter.

Required, §6-62-806.

Electronic versions of instructional materials.

Failure to comply with provisions as act of discrimination, §6-68-108.

Employees.

Affirmative action programs, §6-63-103.

Diseases.

Immunization of enrollees, §§6-60-501 to 6-60-504.

Meningococcal disease warning, §6-61-123.

Division of higher education.

Academic challenge scholarship program.

Accountability and transparency.

Legislative research bureau, information supplied to, §6-85-217.

Reporting by institution, §6-85-216.

Rulemaking to implement provisions, §6-85-205.

Financial condition report, §6-61-222.

Planning.

Encouragement of participation by private institutions, §6-61-305.

Productivity-based funding model, §6-61-234.

Review of existing programs of higher education, §6-61-304.

Scholarships.

Administration, §6-82-105.

Duplication of services between constituent institutions,

§6-61-141.

Elections.

Higher education technology and facility improvement.

Bond election, §6-62-1108.

Improvement districts.

Approval of chapter.

Election method, §6-71-105.

COLLEGES AND UNIVERSITIES

—Cont'd

Electrical energy advancement**program,** §§6-61-1501 to 6-61-1503.

Electrical energy advancement program fund.

Board, §§6-61-1502, 6-61-1503.

Statewide energy consortium, §6-61-1501.

Electronic communications privacy,

§6-61-126.

Electronic versions of instructional**materials,** §§6-68-101 to 6-68-108.

Braille.

Transcription into, §6-68-105.

Copyright protection, §6-68-106.

Definitions, §6-68-101.

Discrimination.

Failure to comply with provisions to constitute, §6-68-108.

Guidelines for implementation of provisions, §6-68-107.

Nonprinted instructional materials, §6-68-104.

Printed instructional materials, §6-68-102.

Student use requirement, §6-68-103.

Requests for, §6-68-105.

Emergencies.

Panic button alert system to contact 911, §6-61-140.

Emergency or security records or information.

Records exempt from freedom of information disclosure, §6-61-139.

Eminent domain.

Action brought in name of board of trustees, §6-62-201.

Granting power to state colleges and universities.

Exception, §6-62-201.

Legal representation of board.

Attorney general and prosecuting attorneys to represent board, §6-62-201.

Procedure followed in action, §6-62-201.

Resolution, §6-62-201.

Employees.

Affirmative action programs, §6-63-103.

Catastrophic leave bank program, §§6-63-601, 6-63-602.

Higher education expenditure restrictions, §§6-63-301 to 6-63-316.

Additional duties.

Additional compensation, §6-63-306.

COLLEGES AND UNIVERSITIES

—Cont'd

Employees —Cont'd

- Higher education expenditure restrictions —Cont'd
- Additional help restrictions, §6-63-314.
- Additional positions.
 - Upon availability of additional funds, §6-63-305.
 - Maximum number, §6-63-305.
- Adjunct professors, §6-63-315.
- Administrators.
 - Salaries, reporting, §6-63-316.
- Applicability of subchapter, §6-63-302.
- Other fiscal laws not superseded, §6-63-302.
- Citation of subchapter, §6-63-301.
- Continuation of new or added positions, §6-63-305.
- Extra help restrictions, §6-63-314.
- Faculty recruitment, §6-63-309.
 - Exceptions to maximum salary levels, §6-63-309.
- National center for toxicological research.
- Special authorizations and contracts, §6-63-311.
- New positions, §6-63-305.
- Nine month and part-time employees, §6-63-303.
 - Maximum annual salary, §6-63-303.
 - Optional payment in twelve monthly installments, §6-63-303.
- Other fiscal laws not superseded, §6-63-302.
- Overtime for classified positions, §6-63-308.
 - Limitations, §6-63-308.
- Part-time employees, §6-63-303.
 - Maximum annual salary, §6-63-303.
 - Optional payment in twelve monthly installments, §6-63-303.
- Payroll deductions, §6-63-304.
- Penalties.
 - Violations of provisions regarding salary restrictions, §6-63-307.
- Reports.
 - Transfers of appropriations from contingency appropriation.
 - Monthly reports, §6-63-312.

COLLEGES AND UNIVERSITIES

—Cont'd

Employees —Cont'd

- Higher education expenditure restrictions —Cont'd
- Salaries, §6-63-307.
 - Additional compensation, §6-63-307.
 - Additional duties, §6-63-306.
 - Penalties, §6-63-307.
- Administrator salaries, reporting, §6-63-316.
- Deductions from payrolls, §6-63-304.
- Faculty recruitment.
 - Exceptions to maximum salary levels, §6-63-309.
- Nine month and part-time employees.
 - Maximum annual salary, §6-63-303.
 - Optional payment in twelve monthly installments, §6-63-303.
- Penalties, §6-63-307.
- Private contributors.
 - Authorization for increases in maximum compensation levels, §6-62-103.
 - Increase in maximum authorized compensation levels, §6-62-103.
 - Qualifications of recipients of increase in maximum authorized levels, §6-62-103.
- Short title, §6-63-301.
- Title of subchapter, §6-63-301.
- Transfer of appropriations from contingency appropriation, §6-63-312.
 - Monthly reports, §6-63-312.
 - Visiting professors, §6-63-315.
- Insurance.
 - Salary deductions for group insurance premiums, §6-63-102.
- Reports.
 - Higher education expenditure restrictions, §6-63-312.
- Salaries.
 - Insurance.
 - Deductions for group insurance premiums, §6-63-102.
- Sick leave.
 - Catastrophic leave bank program, §§6-63-601, 6-63-602.
- Social media accounts of current or prospective employees.
 - Restrictions on use by institution of higher education, §6-60-104.

COLLEGES AND UNIVERSITIES

—Cont'd

Employees —Cont'd

Social security number.

Use on employee identification cards, §6-61-126.

Employment and earning outcomes for degrees and certificates at institutions of higher education and state-supported technical institutes, §6-60-105.**Energy summary and report.**

State summary and report.

Generally, §§6-61-1601 to 6-61-1603.

Participation by state-supported institutions engaged in energy research, §6-61-1601.

Enrollment data, §6-60-209.**Exemption from provisions**, §6-61-102.**Expansion of institutions**, §6-61-303.**Expenditure data presentation**, §6-61-137.**Extension courses.**

Authorized, §6-60-402.

Courses of instruction, §6-60-404.

Establishment.

Authority, §6-60-402.

Facilities, §6-60-404.

Guidelines, §6-60-403.

Legislative intent, §6-60-401.

Purpose of provisions, §6-60-401.

Requirements, §6-60-403.

Eye protection, §6-61-108.**Faculty advisors.**

Course-selection advice, §6-61-130.

Transferability of coursework, advice on, §6-61-132.

Faculty performance review, §6-63-104.**False academic credentials.**

Criminal penalty for use of, §6-61-135.

Federal aid.

Board of higher education.

State agency for federal programs, §6-61-212.

Student incentive grant program, §6-61-401.

Fees.

Senior citizens.

Waiver of general student fee charges for persons over sixty, §6-60-204.

Tuition.

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents, §6-82-601.

COLLEGES AND UNIVERSITIES

—Cont'd

Fees —Cont'd

Tuition —Cont'd

Reporting on student tuition and mandatory fees, §6-61-215.

Finance.

Commission on coordination of higher education finance.

Designation as state agency for grants under federal act, §6-62-313.

State-supported institutions, accounts receivable policies, §6-61-131.

Firefighters.

Scholarships for children of firefighters, §§6-82-501 to 6-82-507.

Flags, flying, §6-60-110.**Foreign investments, transparency**, §§6-60-1201 to 6-60-1205.**Foresters for the future scholarship program**, §§6-82-2101 to 6-82-2103.**Forestry employees.**

Scholarships for children of peace officers, firefighters, teachers and certain state employees, §6-82-501 to 6-82-507.

Forming open and robust university minds (FORUM) act, §§6-60-1001 to 6-60-1010.

Areas considered public forums, §6-60-1005.

Definitions, §6-60-1003.

Expressive activities protected under provisions, §6-60-1004.

Freedom of association, §6-60-1006.

Legislative intent, §6-60-1002.

Permissible activities on outdoor areas of campus, §6-60-1005.

Policies regarding free expression, §6-60-1007.

Remedies for violations, §6-60-1009.

Statute of limitations, §6-60-1010.

Reporting requirements, §6-60-1008.

Restrictions on outdoor areas of campus, §6-60-1005.

Student organizations, nondiscrimination, §6-60-1006.

Title of provisions, §6-60-1001.

Forms.

Improvement districts.

Assessments.

Collection of assessments, §§6-71-116, 6-71-117.

Foster care, students in.

Homeless and foster student liaison, §6-60-115.

COLLEGES AND UNIVERSITIES

—Cont'd

Freedom of expression, student journalists, §§6-60-1101 to 6-60-1103.**Funds.**

Annual certification of solvency, §6-62-109.

Calculation of number of days of cash-on-hand, §6-62-109.

Higher education consolidation matching fund, §6-60-102.

Productivity-based funding model for funding formula, §6-61-234.

Research development.

Applications for funds, §6-61-808.

Uses, §6-61-807.

Governing boards.

Accountability and transparency at state-supported institutions.

Information to be posted on websites, §6-60-113.

Existing boards unaffected by provisions, §6-61-103.

State-supported institutions, accounts receivable policies.

Student accounts receivable aging report to be provided to board, §6-61-131.

Governor's scholars program,

§§6-82-301 to 6-82-314.

Graduation.

Rates.

Information, §6-61-220.

Grants.

Selective service act.

Compliance with required, §6-80-102.

Student incentive grant program, §6-61-401.

Guardians ad litem.

Improvement districts.

Assessments.

Actions to enforce lien.

Appointment of guardian ad litem for persons under a disability, §6-71-138.

Higher education consumer guide act, §§6-61-1701 to 6-61-1703.

Creation and contents of consumer guide, §6-61-1703.

Definitions, §6-61-1702.

Title of act, §6-61-1701.

Higher education expenditure restrictions, §§6-63-301 to 6-63-316.**Higher education information system, §§6-60-901 to 6-60-903.**

Access to information, §6-60-902.

COLLEGES AND UNIVERSITIES

—Cont'd

Higher education information system —Cont'd

Compliance by institutions of higher education, §6-60-902.

Definitions, §6-60-901.

Development, §6-60-902.

Duties of division, §6-60-902.

Higher education minority retention programs, §6-61-122.

Minority defined, §6-61-121.

Higher education technology and facility improvement act of 2005, §§6-62-1101 to 6-62-1122.**Higher education tuition adjustment fund, §6-60-303.****High school students.**

Enrollment of qualified students as part-time students in institutions of higher education, §6-60-202.

Minimum core courses for college prep, §6-61-217.

Highway employees.

Scholarships for children of peace officers, firefighters, teachers and certain state employees, §§6-82-501 to 6-82-507.

History.

Course in American history and civil government.

Required, §6-61-105.

Homeless and foster student liaison, §6-60-115.**Identification cards.**

Student identification badges.

Hotlines and other information to be included, §6-60-118.

Student or employee identification cards.

Prohibited use of social security number, §6-61-126.

Immunization of enrollees.

Legislative declaration.

Purpose of subchapter, §6-60-501.

Physical disabilities, §6-60-504.

Proof of immunity, §6-60-502.

Time, §6-60-502.

Purpose of subchapter, §6-60-501.

Religious objections, §6-60-504.

Rules.

Authority of state board of health to adopt rules, §6-60-503.

Enforcement of rules, §6-60-503.

Improvement districts.

Appeals.

Assessments, §6-71-107.

COLLEGES AND UNIVERSITIES

—Cont'd

Improvement districts —Cont'd

Applicability of provisions.

Exceptions.

Commission form of government,
§6-71-102.

Approval of chapter.

Election method, §6-71-105.

Petition method, §6-71-105.

Assessments.

Amount.

Limitation, §6-71-111.

Maintenance assessments,
§6-71-113.

Appeals, §6-71-107.

Apportionment, §6-71-108.

Correction of description of property,
§6-71-129.

Deferral of levy, §6-71-110.

Delinquencies.

Penalties, §6-71-118.

Forms.

Warrant for collection of
assessments, §6-71-116.

Installments.

Annual installments, §6-71-108.

Levy of assessment.

Deferral of levy, §6-71-110.

Liens.

Actions to enforce.

Allowance to special
commissioner for sale of
land, §6-71-132.Appeals to supreme court,
§6-71-136.Best bidder to have property
sold to him, §6-71-131.Brought in name of district,
§6-71-127.

Cause of action, §6-71-119.

Certificate of purchase to be
filed as prerequisite to
issuance of deed, §6-71-130.Commissioner's deed to
purchaser, §6-71-130.Constructive service of process,
§6-71-124.Correction of description of
property, §6-71-129.

Decree, form, §6-71-126.

Deed of commissioner to
purchaser, §6-71-130.

Default decrees, §6-71-123.

Defendants, §6-71-122.

Direction for sale of property,
§6-71-128.**COLLEGES AND UNIVERSITIES**

—Cont'd

Improvement districts —Cont'd

Assessments —Cont'd

Liens —Cont'd

Actions to enforce —Cont'd

District to purchase where no
other purchaser, §6-71-131.Exhibition of resolutions or
documents unnecessary,
§6-71-120.Filing of certificate of purchase
as prerequisite to issuance
of deed, §6-71-130.

Form of decree, §6-71-126.

Generally, §6-71-119.

Guardian ad litem appointed in
cases of owners' disability,
§6-71-138.In rem proceedings where owner
unknown, §6-71-122.Interest on redemption,
§6-71-134.Joinder of actions against
several owners, §6-71-121.Mentally diseased or defective
owners, §6-71-137.

Minor owners, §6-71-137.

Nonresident owners, §6-71-137.

Notice by publication, §6-71-137.

Owner to reimburse purchaser
for assessments paid upon
redemption, §6-71-135.Payment to clerk to redeem,
§6-71-134.Precedence over other cases,
§6-71-125.Price paid special commissioner
to be stated in certificate of
purchase, §6-71-133.Publication of notice,
§§6-71-124, 6-71-137.

Redemption, §6-71-134.

Reimbursement for assessments
by purchaser, §6-71-135.Resolutions or documents need
not be exhibited, §6-71-120.

Sale of property, §6-71-128.

Special commissioner to receive
allowance for sale of land,
§6-71-132.Statement of price paid special
commissioner in certificate
of purchase, §6-71-133.Suit in name of district,
§6-71-127.Summons and process,
§6-71-123.

COLLEGES AND UNIVERSITIES

—Cont'd

Improvement districts —Cont'd

Assessments —Cont'd

Liens —Cont'd

Actions to enforce —Cont'd

Supreme court appeals,
§6-71-136.Supreme court decision,
§6-71-136.Time for appeal to supreme
court, §6-71-136.Time limit for redemption,
§6-71-134.Transcript on appeal to supreme
court, §6-71-136.Assessment as lien on real
property, §6-71-109.Maintenance assessments,
§6-71-113.

Limitation, §6-71-111.

Maintenance assessments,
§6-71-113.

Notice.

Actions to enforce lien, §6-71-137.

Collection.

Form, §6-71-117.

Publication, §6-71-117.

Filing of assessments, §6-71-107.

Maintenance assessments,
§6-71-113.Sale of property to enforce lien,
§6-71-128.

Procedure, §6-71-107.

Railroads, §6-71-112.

Tramroads, §6-71-112.

Warrant for collection.

Form, §6-71-116.

Assessors.

Appointment, §6-71-107.

Defined, §6-71-101.

Oath, §6-71-107.

Benefits.

Requirements for receipt, §6-71-142.

Bond issues.

Authority to issue, §6-71-115.

Borrowing money.

Authority to borrow, §6-71-115.

City of first class.

Created and constituted a special
improvement district, §6-71-103.

Collectors.

Appointment, §6-71-114.

Bonds, surety, §6-71-114.

Compensation, §6-71-114.

Defined, §6-71-101.

Commissioners.

Annual statements, §6-71-104.

COLLEGES AND UNIVERSITIES

—Cont'd

Improvement districts —Cont'd

Commissioners —Cont'd

Assistants.

Employment, §6-71-104.

Defined, §6-71-101.

Management of district, §6-71-104.

Oath, §6-71-104.

Organization, §6-71-104.

Per diem, §6-71-104.

Quorum, §6-71-104.

Rules, §6-71-104.

Vacancies, §6-71-104.

Commission form of government.

Exception as to cities with,
§6-71-102.Construction and maintenance of
college or university.Inducing existing institution to move
to district, §6-71-141.

Corporate limits.

Defined, §6-71-101.

Counties.

Multidistrict counties, §6-71-106.

Definitions, §6-71-101.

Elections.

Approval of chapter, §6-71-105.

First class city.

Created and constituted a special
improvement district, §6-71-103.Inducing existing institution to move
to district, §6-71-141.

Multidistrict counties, §6-71-106.

Notice.

Assessments, §§6-71-107, 6-71-113.

Action to enforce lien, §6-71-137.

Notice for collection, §6-71-117.

Sale of property to enforce lien,
§6-71-128.Public notice of passage of chapter,
§6-71-105.

Real property.

Petition to acquire, §6-71-140.

Petitions.

Approval of chapter, §6-71-105.

Real property.

Defined, §6-71-101.

Petition to acquire private property.

Contents, §6-71-140.

Damages.

Deposit to cover damages prior
to determination, §6-71-140.

Determination, §6-71-140.

Payment, §6-71-140.

Deposit to cover damages prior to
determination, §6-71-140.Entry on land after deposit,
§6-71-140.

COLLEGES AND UNIVERSITIES

—Cont'd

Improvement districts —Cont'd

Real property —Cont'd

Petition to acquire private property
—Cont'd

Jury trial, §6-71-140.

Notice to owner, §6-71-140.

Power to hold and acquire,
§6-71-139.Requirements for receipt of benefits,
§6-71-142.

Treasurer.

Appointment, §6-71-114.

Bonds, surety, §6-71-114.

Compensation, §6-71-114.

Income of alumni.Higher education consumer guide
information, §6-61-1703.Information to be made available by
division of higher education,
§§6-60-1301 to 6-60-1305.**Incorporation.**

Advisory committee, §6-61-302.

Composition, §6-61-302.

Expenses of members, §6-61-302.

Terms of members, §6-61-302.

Certificate, §6-61-301.

Generally, §6-61-301.

Misdemeanors.

Violations of provisions, §6-61-301.

Penalties.

Violations of provisions, §6-61-301.

Revocation of certification, §6-61-301.

Indoor clean air.Clean air on campus, §§6-60-801 to
6-60-807.**In rem proceedings.**

Improvement districts.

Assessments.

Liens.

Actions to enforce, §6-71-122.

Insurance.

Employees.

Salary deductions for group
insurance premiums, §6-63-102.Transfer and lease of state university
property.

Title insurance, §6-62-611.

Interest.

Improvement districts.

Assessments.

Actions to enforce lien.

Redemption, §6-71-134.

COLLEGES AND UNIVERSITIES

—Cont'd

Investments.Foreign investments, transparency,
§§6-60-1201 to 6-60-1205.Acceptance and disclosure of foreign
gifts and contracts, §6-60-1204.Annual disclosure report,
§6-60-1205.Confucius institutes and affiliated
entities, prohibitions,
§6-60-1203.

Definitions, §6-60-1202.

Title of provisions, §6-60-1201.

Transfer and lease of state university
property, §6-62-613.**Job placement.**Employment and earning outcomes for
degrees and certificates at
institutions of higher education
and state-supported technical
institutes, §6-60-105.Higher education consumer guide
information, §6-61-1703.Information to be made available by
division of higher education,
§§6-60-1301 to 6-60-1305.**Jury.**

Improvement districts.

Real property.

Petition to acquire private
property.

Trial by jury, §6-71-140.

Liens.

Improvement districts.

Assessments, §§6-71-109, 6-71-113.

Loans.Private borrowing by institutions of
higher education, §6-62-105.

Selective service act.

Compliance with required,
§6-80-102.

Student financial aid.

Stacking of scholarships, §6-80-105.

Medically underserved areas.Admission of applicants from,
§6-60-212.**Mental health and suicide
prevention services.**Information to be provided to
students, §6-60-112.**Mergers, §6-60-102.**Community colleges, control of
following merger, §6-61-520.

COLLEGES AND UNIVERSITIES

—Cont'd

Michael Lawdon Branscum act.

Posthumous college degrees,
§6-61-138.

Military affairs.

Military training property and
equipment.

Contracts for, §6-62-102.

Prisoners of war or persons missing or
killed in action.

Tuition.

Free tuition and fees for
dependents, §6-82-601.

Students or spouses of students called
into military service, §6-61-112.

Tuition.

In-state tuition for veterans,
military personnel and
dependents, §6-60-205.

Prisoners of war or persons missing
or killed in action.

Free tuition and fees for
dependents, §6-82-601.

**Minority scholarship or grant
program.**

Annual review, §6-82-102.

Minors.

Improvement districts.

Assessments.

Actions to enforce lien.

Notice by publication for owners
under a disability,
§6-71-137.

Missing in action.

Tuition.

Free tuition and fees for dependents
of persons missing or killed in
action, §6-82-601.

Mortgages and deeds of trust.

Transfer and lease of state university
property.

Right to mortgage or encumber
property, §6-62-607.

National anthem.

Star-Spangled Banner act.

Playing of national anthem at
schools and school-sanctioned
sporting events, §6-60-116.

**National center for toxicological
research.**

Employees.

Higher education expenditure
restrictions.

Special authorization and
contracts, §6-63-311.

COLLEGES AND UNIVERSITIES

—Cont'd

National guard.

Participants in the tuition assistance
plan.

Tuition waiver for soldiers and
airmen, §6-60-211.

Tuition.

Prisoners of war or persons missing
or killed in action.

Free tuition and fees for
dependents, §6-82-601.

Nonresidents.

Admission.

Regulation of admission and
enrollment, §6-60-201.

Improvement districts.

Assessments.

Actions to enforce lien.

Publication of notice where
owners nonresidents,
§6-71-137.

Notice.

Buildings.

Bond issues.

Commission on coordination of
higher education finance,
§6-62-306.

Clean air on campus.

Prohibition on smoking
communicated by means of "no
smoking" signs, §6-60-805.

Improvement districts.

Assessments, §§6-71-107, 6-71-113.

Actions to enforce lien.

Publication of notice where
owners are nonresidents,
infants or persons under a
disability, §6-71-137.

Publication of notice for collection,
§6-71-117.

Sale of property to enforce lien,
§6-71-128.

Public notice of passage of chapter,
§6-71-105.

Real property.

Petition to acquire private
property, §6-71-140.

Numbering of courses.

Common course numbering system,
§§6-61-1401 to 6-61-1407.

Oaths.

Improvement districts.

Assessors, §6-71-107.

Commissioners, §6-71-104.

Off-campus enrollments, §6-60-203.**Office of accountability.**

Created, §6-61-902.

COLLEGES AND UNIVERSITIES

—Cont'd

Office of accountability —Cont'd

Declaration of purpose, §6-61-901.

Functions, §6-61-902.

Purpose, §6-61-901.

Online, degree-offering institutions.National guard, tuition benefits,
§6-60-214.**Out-of-state tuition, §6-82-103.****Panic button alert system to contact
911, §6-61-140.****Peace officers.**Scholarships for children of peace
officers, §§6-82-501 to 6-82-507.**Peer review project teams.**

Course review, §6-61-226.

Penalties.Higher education expenditure
restrictions.

Salary restrictions, §6-63-307.

Improvement districts.

Assessments.

Delinquencies, §6-71-118.

Incorporation.

Violations of provisions, §6-61-301.

Personnel.

Board of higher education.

Policies and administration,
§6-61-214.**Petitions.**

Improvement districts.

Approval of chapter.

Petition method, §6-71-105.

Planning.

Board of higher education.

Master plan, §6-61-205.

Review of programs, §6-61-207.

Studies, surveys and evaluations,
§6-61-206.Encouragement of participation by
private institutions, §6-61-305.**Police corps program, §§6-82-1201 to
6-82-1206.****Posthumous degrees, §6-61-138.****Pregnancy.**Unplanned pregnancies action plan,
§6-60-106.**Presidents of universities.**Contract for employment of president
or chancellor, §6-60-114.

Housing allowance, §6-62-108.

Prisoners of war.

Tuition.

Free tuition and fees for dependents,
§6-82-601.**Privacy policy.**

Electronic communications, §6-61-126.

COLLEGES AND UNIVERSITIES

—Cont'd

**Private outside work using campus
facilities.**Authorization of employees of
institutions.

Findings, §6-62-401.

Charge for use of facilities, §6-62-401.

Findings, §6-62-401.

Publicity and advertising to show that
institution and state not
contractually obligated, §6-62-401.

Reports.

Financial reports, §6-62-401.

Written permission, §6-62-401.

**Productivity-based funding model,
§6-61-234.****Professional development.**

Child maltreatment.

Recognition, legal requirements,
§6-61-133.**Professional schools.**Tuition assistance for residents
attending certain out of state
schools, §6-81-1101.Repayment of tuition paid by state,
§§6-81-1103, 6-81-1104.**Program transfers, §6-61-104.****Prosecuting attorneys.**

Eminent domain.

Legal representation of board,
§6-62-201.**Publication.**

Improvement districts.

Assessments.

Actions to enforce lien.

Notice published where owners
are nonresidents or persons
under a disability,
§6-71-137.

Notice for collection, §6-71-117.

Racial minorities.

Charters, bylaws or rules.

Removal of unconstitutional or
illegal references to race,
§6-61-113.Higher education minority retention
programs, §6-61-122.

Minority defined, §6-61-121.

Reporting minority enrollment,
§6-61-124.**Real property.**

Improvement districts.

Defined, §6-71-101.

Petition to acquire private property.

Contents, §6-71-140.

Damages.

Deposit to cover damages prior
to determination, §6-71-140.

COLLEGES AND UNIVERSITIES

—Cont'd

Real property —Cont'd

Improvement districts —Cont'd

Petition to acquire private property
—Cont'd

Damages —Cont'd

Determination, §6-71-140.

Payment, §6-71-140.

Deposit to cover damages prior to
determination, §6-71-140.Entry on land after deposit,
§6-71-140.

Jury trial, §6-71-140.

Power to hold and acquire,
§6-71-139.**Recordation.**Trust conveyances to state for higher
learning institutions, §6-62-503.**Records.**Emergency or security records or
information.Records exempt from freedom of
information disclosure,
§6-61-139.**Religion.**

Immunization of enrollees.

Religious objections, §6-60-504.

Teachers.

Religious clothing.

Authorized to wear, §6-63-101.

Remedial courses.Reduction of state funds expended on
remediation, §6-62-107.Reporting of graduates requiring
postsecondary remediation,
§6-61-221.Testing of entering freshman for,
§6-61-110.**Reports.**

Athletic expenditures and revenues.

Uniform reporting, §6-62-106.

Athletic programs.

Expenditures, §6-62-807.

Comprehensive Arkansas higher
education annual report,
§§6-60-701 to 6-60-705.

Contents of report, §6-60-703.

Information for report directed to
division of higher education,
§6-60-704.Interim and other additional reports
permissible under provisions,
§6-60-705.

Legislative intent, §6-60-702.

Reports making up comprehensive
report, §6-60-703.

Responsibility for report, §6-60-703.

COLLEGES AND UNIVERSITIES

—Cont'd

Reports —Cont'dComprehensive Arkansas higher
education annual report —Cont'dSubmission to legislature and
governor, §6-60-703.

Title of act, §6-60-701.

Employees.

Higher education expenditure
restrictions.

Administrators.

Salaries, reporting, §6-63-316.

Transfers of appropriations from
contingency appropriation.

Monthly reports, §6-63-312.

Financial condition report, §6-61-222.

Graduates requiring postsecondary
remediation, §6-61-221.

Minority enrollment, §6-61-124.

Private outside work using campus
facilities.

Financial reports, §6-62-401.

Remediation cost for academic year.

Required as condition for receiving
state funds, §6-62-107.**Research development.**

Administration of program, §6-61-803.

Citation of subchapter, §6-61-801.

Creation of program, §6-61-803.

Funds.

Applications for funds, §6-61-808.

Uses, §6-61-807.

Legislative intent, §6-61-802.

Purpose of subchapter, §6-61-802.

Short title of subchapter, §6-61-801.

Residents, §6-60-210.**Retention.**

Rate information, §6-61-220.

Higher education consumer guide,
§6-61-1703.**Review of existing programs of
higher education.**Division of higher education,
§6-61-304.**Rich Mountain community college,**
§§6-61-701 to 6-61-708.**Rules.**

Athletic programs, §6-62-806.

Expansion of institutions, §6-61-303.

Immunization of enrollees.

Authority of state board of health to
adopt rules, §6-60-503.

Enforcement of rules, §6-60-503.

Improvement districts.

Commissioners, §6-71-104.

COLLEGES AND UNIVERSITIES

—Cont'd

Rules —Cont'd

Race.

Unconstitutional or illegal
references to race.

Removal, §6-61-113.

Scholarships.

Peace officers, firefighters, teachers
and certain state employees,
§6-82-502.

Tuition.

Prisoners of war or persons missing
or killed in action.

Free tuition and fees, §6-82-601.

Salaries.

Employees.

Insurance.

Deductions for group insurance
premiums, §6-63-102.

Private contributors.

Increase in maximum authorized
compensation level.

Authorization, §6-62-103.

Purposes of act, §6-62-103.

Qualifications of individual to
receive payments, §6-62-103.**Savings bonds, §§6-62-701 to 6-62-726.**

Amount of principal, §6-62-708.

Amount outstanding, §6-62-707.

Arkansas development finance
authority.

Definition of "authority," §6-62-703.

Marketing strategies.

Development, §6-62-706.

Powers and duties, §6-62-705.

Authority to issue bonds,
§6-62-707.Duties as to issuance of bonds,
§6-62-709.

Resolutions of authority.

Issuance of bonds, §6-62-714.

Authorized, §6-62-707.

Bond funds, §6-62-719.

Citation of subchapter, §6-62-701.

Conditions and terms.

Generally, §6-62-712.

Series bonds, §6-62-713.

Construction of subchapter, §6-62-704.

Debt service reserve fund, §6-62-719.

Declaration of public necessity,
§6-62-702.

Definitions, §6-62-703.

Deposit of proceeds, §6-62-723.

Disbursement of funds, §6-62-724.

Employment of administrative agents,
fiscal agent and legal counsel,
§6-62-717.**COLLEGES AND UNIVERSITIES**

—Cont'd

Savings bonds —Cont'd

Execution, §6-62-716.

Financial aid or assistance, §6-62-706.

Financial incentives, §6-62-710.

Financial resources, §6-62-706.

General obligations, §6-62-718.

Incentives.

Financial incentives, §6-62-710.

Investments, §6-62-724.

Legal investments, §6-62-720.

Judicial review, §6-62-725.

Priority, §6-62-725.

Legislative findings, §6-62-702.

Liabilities and rights, §§6-62-721,
6-62-722.

Marketing strategies.

Development by authority,
§6-62-706.

Payment, §6-62-719.

Pledge of revenues, §6-62-718.

Principal amount, §6-62-708.

Projects.

Selection, §6-62-714.

Purposes, §6-62-711.

Refunding bonds, §6-62-715.

Rights and liabilities, §§6-62-721,
6-62-722.

Rules, §6-62-726.

Sale, §6-62-717.

Deposit of proceeds, §6-62-723.

Series bonds.

Terms and conditions, §6-62-713.

State board of higher education.

Powers and duties, §6-62-705.

Issuance of bonds, §6-62-709.

Tax exemption, §6-62-720.

Terms and conditions.

Generally, §6-62-712.

Series bonds, §6-62-713.

Title of subchapter, §6-62-701.

Trust indentures, §6-62-714.

Scholarships.Academic and performance
scholarships.Limitations on expenditures for,
§6-80-106.Academic challenge scholarship
program, §§6-85-201 to 6-85-221.Academic support scholarship,
§6-82-108.Administration by division of higher
education, §6-82-105.Arkansas future grant program,
§§6-82-1801 to 6-82-1805.Criminal conviction, effect on
eligibility, §6-82-107.

COLLEGES AND UNIVERSITIES

—Cont'd

Scholarships —Cont'd

- Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.
- Governor's scholars program, §§6-82-301 to 6-82-314.
- Lottery-funded scholarships, procedure for creating or amending, §§6-85-501 to 6-85-503.
- Minority scholarship or grant programs.
 - Annual review, §6-82-102.
- Peace officers, firefighters, teachers and certain state employees.
 - Age limit for scholarships, §6-82-505.
 - Application for benefits.
 - Written application, §6-82-506.
 - Awards to children, §6-82-504.
 - Conditions for continued eligibility, §6-82-507.
 - Definitions, §6-82-501.
 - Entitlement, §6-82-503.
 - Age limit, §6-82-505.
 - Renewal of scholarship.
 - Conditions for continued eligibility, §6-82-507.
 - Rules, §6-82-502.
 - Self-inflicted injuries.
 - Benefits not to accrue, §6-82-503.
 - Spouses.
 - Remarriage, §6-82-505.
 - Written application for benefits, §6-82-506.
- Police corps program, §§6-82-1201 to 6-82-1206.
 - Criminal justice department as lead agency, §§6-82-1205, 6-82-1206.
- Policy academy internship in Washington, D.C.
 - Award of scholarship to students accepted, §6-82-106.
- Residents, §6-60-210.
- Selective service act.
 - Compliance with required, §6-80-102.
- Teachers.
 - Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.
 - Scholarships for teachers in high-needs subject areas, §6-82-1901.
 - University assisted teacher recruitment and retention grant program, §6-81-1301.

COLLEGES AND UNIVERSITIES

—Cont'd

Science degrees.

- Associate of applied science degrees.
 - Mathematics requirement, §6-61-134.

Secondhand smoke.

- Clean air on campus, §§6-60-801 to 6-60-807.

Selective service act.

- Compliance with required, §6-80-102.
- Registration, §6-80-104.

Semester hours required for degree,
§6-61-232.**Senior citizens.**

- Waiver of general student fee charges, §6-60-204.

Service of process.

- Improvement districts.
 - Constructive service in actions to enforce liens, §6-71-124.

Sexual assault action plan to address prevention of sexual assault, §6-60-111.**Sick leave for employees.**

- Catastrophic leave bank program, §§6-63-601, 6-63-602.

Sign language.

- American sign language as foreign language, §6-61-125.

Signs.

- Clean air on campus.
 - Prohibition of smoking.
 - Notice by means of "no smoking" signs, §6-60-805.

Smoking.

- Clean air on campus, §§6-60-801 to 6-60-807.

Social media accounts of current or prospective students and employees.

- Restrictions on use by institution of higher education, §6-60-104.

Social security number.

- Restrictions, §6-61-128.
- Student or employee identification cards, §6-61-126.

Solvency of institution.

- Annual certification of solvency, §6-62-109.

Southern Arkansas university.

- Generally, §§6-65-401 to 6-65-413.

Southern regional education compact.

- Board.
 - Contracts and cooperation with board, §6-61-402.

COLLEGES AND UNIVERSITIES

—Cont'd

Star-Spangled Banner act.

Playing of national anthem at schools and school-sanctioned sporting events, §6-60-116.

Student data files, database for,

§§6-60-901 to 6-60-903.

Student enrollee.

Immunization, §§6-60-501 to 6-60-504.

Student identification badges.

Hotlines and other information to be included, §6-60-118.

Student incentive grant program,

§6-61-401.

Student journalists, freedom of expression, §§6-60-1101 to 6-60-1103.

Definitions, §6-60-1101.

Prohibited activities or expression, §6-60-1103.

Protected activities, §6-60-1102.

Right of expression generally, §6-60-1102.

Students or spouses of students called into military service,

§6-61-112.

Student's social media account.

Restrictions on use by institution of higher education, §6-60-104.

Suicide prevention services.

Information to be provided to students, §6-60-112.

Summons and process.

Improvement district assessments.

Liens, actions to enforce, §6-71-123.

Supreme court.

Improvement district assessments.

Actions to enforce lien.

Appeals to supreme court, §6-71-136.

Taxation.

Higher education technology and facility improvement.

Tax exemption of bonds, §6-62-1117.

Trust conveyances to state for higher learning institutions.

Exemption from tax, §6-62-506.

Teachers.

Highly qualified professional and teacher act.

License for university professor or assistant professor, §6-63-105.

Religious clothing.

Authorized to wear, §6-63-101.

Scholarships for teachers in high-needs subject areas, §6-82-1901.

COLLEGES AND UNIVERSITIES

—Cont'd

Technical colleges.

Bond issues for capital improvements, §§6-61-1001 to 6-61-1014.

Textbooks and course materials,

§§6-60-601 to 6-60-605.

Campus bookstore advertising, §6-60-605.

Distribution of lists to students, §6-60-601.

Inducements to require certain materials prohibited, §6-60-602.

Royalties received by faculty members, §6-60-604.

Website linking policies, §6-60-603.

Transfer and lease of property.

Affidavits.

Appraisers, §6-62-610.

Agreement for transfer and lease, §6-62-611.

Appraisers.

Affidavit, §6-62-610.

Compensation, §6-62-610.

Determination of market value and fair market rental, §6-62-610.

Authorized, §6-62-602.

Bank funds.

Defined, §6-62-601.

Money received as consideration declared bank funds, §6-62-613.

Board.

Authority to transfer and lease property, §6-62-602.

Defined, §6-62-601.

Execution of contracts, §6-62-605.

Personal liability under lease agreement, §6-62-612.

Resolution authorizing, §6-62-608.

Building authority division.

Review by, §6-62-606.

Building permits.

Exemption from compliance with laws, §6-62-606.

Consideration, §6-62-613.

Contracts.

Execution of contracts, §6-62-605.

Conveyances.

Instruments of conveyance, §6-62-611.

Credit.

Terms of transfer, §6-62-609.

Defaults.

Right to cure default, §6-62-607.

Definitions, §6-62-601.

Encumbrances.

Right to mortgage or encumber property, §6-62-607.

COLLEGES AND UNIVERSITIES

—Cont'd

Transfer and lease of property

—Cont'd

Fair market value.

Determination, §6-62-610.

Insurance.

Title insurance, §6-62-611.

Investments.

Money received as consideration for transfer, §6-62-613.

Lease agreement.

Board's obligations under agreement, §6-62-612.

Defined, §6-62-601.

Options, §6-62-612.

Repurchase of property, §6-62-612.

Right of first refusal, §6-62-612.

Liability.

Personal liability of members of board under lease agreement, §6-62-612.

Money received as consideration for transfer, §6-62-613.

Mortgages and deeds of trust.

Right to mortgage or encumber property, §6-62-607.

Negotiations with potential owners, §6-62-609.

Owners.

Defined, §6-62-601.

Negotiations with potential owners, §6-62-609.

Price.

Terms of transfer, §6-62-609.

Property.

Defined, §6-62-601.

Repurchase of property.

Lease agreement, §6-62-612.

Resolution authorizing, §6-62-608.

Terms of transfer, §6-62-609.

Title insurance, §6-62-611.

Zoning.

Exemption from compliance with laws, §6-62-606.

Transfer credit.

Advice on transferability of coursework, §6-61-132.

Reports concerning requests for, §6-61-227.

Transfer of credits.

Statewide transfer agreement, §6-61-231.

Transfer of programs, §6-61-104.**Transfer students.**

Board of higher education.

Policies for, §6-61-216.

COLLEGES AND UNIVERSITIES

—Cont'd

Trusts and trustees.

Board of higher education.

Administration of trusts and endowments, §6-61-213.

Conveyances to state for higher learning institutions.

Administration by board of institutions, §6-62-503.

Authorized, §6-62-502.

Definitions, §6-62-501.

Discharge of encumbrances only from funds of property, §6-62-504.

Fee simple title subject to encumbrances, §6-62-504.

Income from property.

Deposit for benefit of institution.

Separate deposit, §6-62-507.

No charge of income against appropriations, §6-62-507.

Manner of dealing with property, §6-62-505.

Recordation, §6-62-503.

Tax exemption, §6-62-506.

Tuition.

Accounts receivable policies of state-supported institutions of higher education, §6-61-131.

Board of higher education.

Reporting on student tuition and mandatory fees, §6-61-215.

Brighter future fund plan act, §§6-84-101 to 6-84-114.

Dental student in out-of-state professional programs.

Repayment of tuition by state of Arkansas, §§6-81-1103, 6-81-1104.

Higher education consumer guide, §6-61-1703.

Information to be made available by division of higher education, §§6-60-1301 to 6-60-1305.

Military affairs.

In-state tuition for veterans, military personnel and dependents, §6-60-205.

National guard, tuition benefits, §6-60-214.

Nontraditional documented immigrants, classification as in-state, §6-60-215.

Out-of-state tuition, §6-82-103.

Police officers, reduction in tuition, §6-60-213.

COLLEGES AND UNIVERSITIES

—Cont'd

Tuition —Cont'd

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents.

Allowance, §6-82-601.

Definitions, §6-82-601.

Rules, §6-82-601.

Professional schools.

Tuition assistance for students attending certain out of state professional schools, §6-81-1101.

Repayment of tuition paid by state, §§6-81-1103, 6-81-1104.

Veterinary medicine students, loan assistance program, §§6-81-1105, 6-81-1106.

United States.

Commission on coordination of higher education finance.

Designation of commission as state agency for grant under federal act, §6-62-313.

Higher education facilities act of 1963.

Commission on coordination of higher education finance.

Designation as state agency for grant under act, §6-62-313.

Liberal construction of act, §6-62-313.

Participation plan for federal grant, §6-62-313.

University of Arkansas, §§6-64-101 to 6-64-1013.

University of Central Arkansas, §§6-67-101 to 6-67-114.

Unplanned pregnancies action plan, §6-60-106.

Veterinary medicine students, loan assistance program, §§6-81-1105, 6-81-1106.

Warrants for the payment of money.

Improvement districts.

Assessments.

Collection of assessments, §6-71-116.

Water supply and waterworks.

Sale of water by state institutions of higher learning.

Prohibited, §6-62-101.

Void contracts, §6-62-101.

Workers' compensation, §§6-62-1001 to 6-62-1004.

Coverage required, §6-62-1001.

Election to provide coverage through claims division, §6-62-1004.

COLLEGES AND UNIVERSITIES

—Cont'd

Workers' compensation —Cont'd

Election to provide self-funded coverage, §6-62-1002.

Private, municipal or self-funded coverage, §6-62-1003.

Workforce challenge scholarship program, §§6-85-301 to 6-85-307.

Workforce initiative funding priorities, §6-60-107.

Workforce services division.

Employment and earning outcomes for degrees and certificates at institutions of higher education and state-supported technical institutes, §6-60-105.

COLLEGE SAVINGS PLAN.

Brighter future fund plan act, §§6-84-101 to 6-84-114.

COMMUNITY COLLEGES.

Activity fees, §6-61-523.

Adult education.

Arkansas workforce challenge scholarship program, §§6-85-301 to 6-85-307.

Authorization for establishment, §6-61-502.

Bond issues.

Capital improvements.

Generally, §§6-61-1001 to 6-61-1014.

Budgets.

General operations, §6-61-601.

Capital improvements.

Bond issues, §§6-61-1001 to 6-61-1014.

Capital outlays.

Generally, §6-61-603.

Colleges and universities.

Agreements for sharing facilities, personnel and services, §6-61-524.

Community college without walls.

Housing allowance for president of college, §6-61-525.

Contracts.

Sharing of facilities, personnel and services, §6-61-524.

Credits.

Transfer of credits.

Statewide transfer agreement, §6-61-231.

Definitions, §6-61-501.

Districts.

Defined, §6-61-501.

Dissolution, §6-61-519.

Elections.

Formation of districts.

Ballot, §6-61-513.

COMMUNITY COLLEGES —Cont'd**Districts —Cont'd****Elections —Cont'd****Formation of districts —Cont'd**

Conduct of election, §6-61-514.

Date, §6-61-512.

Notification to county board of election commissioners,
§6-61-511.

Petition, §6-61-510.

Reconstituted districts,
§§6-61-516, 6-61-518.

Results, §6-61-515.

Formation.**Election.**Reconstituted districts,
§§6-61-516, 6-61-518.

Feasibility study, §6-61-507.

Minimum requirements, §6-61-508.

Limitation on number, §6-61-509.

Minimum requirements for establishment, §6-61-508.

Number.

Limitation, §6-61-509.

Reconstituted districts.Elections on establishment,
§§6-61-516, 6-61-518.**Taxation.**

Ad valorem taxes, §6-61-517.

Reduction or repeal, §6-61-519.

East Arkansas community college.

Housing allowance for president of college, §6-61-525.

Elections.**Districts.**

Formation of districts, §§6-61-510 to 6-61-516.

Local boards.

Members, §6-61-520.

Millage taxes, §6-61-522.

Electronic communications.

Privacy policy, §6-61-126.

Establishment.

Authority, §6-61-502.

Federal aid.

State community college board.

Administration of funds, §6-61-506.

Fees.

Activity fees, §6-61-523.

Student fees, §6-61-523.

Finance.**Budgets.**

General operations, §6-61-601.

Capital outlays.

Generally, §6-61-603.

Sources of funds, §6-61-603.

Expenditures in excess of state funds provided, §6-61-522.

COMMUNITY COLLEGES —Cont'd**Finance —Cont'd****General operations.**

Budgets, §6-61-601.

State funds, §6-61-601.

Taxation.

Millage taxes, §6-61-602.

Garland county community college.

Housing allowance for president of college, §6-61-525.

Housing allowance for presidents,

§§6-61-521, 6-61-525.

Identification cards.

Student or employee identification cards.

Prohibited use of social security number, §6-61-128.

Junior colleges.

Division of community junior colleges.

Creation, §6-61-504.

Limitation on operation, §6-61-522.**Local boards.**

Appointment or election of members.

Resolution, §6-61-529.

Composition, §6-61-520.

Defined, §6-61-501.

Duties, §6-61-521.

Election of members, §6-61-520.

Resolution for appointment or election of members, §6-61-529.

Powers, §6-61-521.

Purchases from board members and employees, §6-61-613.

Rules, §6-61-521.

School district representation,
§6-61-530.

Terms of members, §6-61-520.

Vacancies, §6-61-520.

Merger with four-year institution.Control of community college,
§6-61-520.**Mississippi county community college.**

Housing allowance for president of college, §6-61-525.

University center, §6-61-528.

National guard.

Participants in the tuition assistance plan.

Tuition waiver for soldiers and airmen, §6-60-211.

North Arkansas community college.

Housing allowance for president of college, §6-61-525.

Northwest Arkansas community college.

Housing allowance for president of college, §6-61-525.

COMMUNITY COLLEGES —Cont'd**Operations.**

Limitations on operation, §6-61-522.

Phillips county community college.

Housing allowance for president of college, §6-61-525.

Presidents.

Housing allowance for presidents of certain colleges, §6-61-525.

Privacy policy.

Electronic communications, §6-61-126.

Purchases from employees,
§6-61-613.**Purchasing.**

Purchases from board members and employees, §6-61-613.

Resolutions.

Appointment or election of members, §6-61-529.

Rich Mountain community college,
§§6-61-701 to 6-61-708.**Rules.**

Local boards, §6-61-521.

Social security number.

Student or employee identification cards, §6-61-126.

South Arkansas community college.

Housing allowance for president, §6-61-525.

State community college board,
§6-61-501.

Defined, §6-61-501.

Duties, §6-61-505.

Administration of funds, §6-61-506.

Powers, §6-61-505.

Student fees, §6-61-523.**Taxation.**

Districts.

Ad valorem taxes, §6-61-517.

Reduction or repeal, §6-61-519.

General operations.

Millage taxes, §6-61-602.

Millage tax, §6-61-503.

Transfer of credits.

Statewide transfer agreement, §6-61-231.

COMMUNITY COLLEGE WITHOUT WALLS.**President.**

Housing allowance, §6-61-525.

COMPUTERS AND SOFTWARE.**Colleges and universities.**

Defined, §6-61-101.

Electronic communications privacy, §6-61-126.

CONSERVATION.**Colleges and universities.**

Courses of study, §6-61-107.

CONSTITUTION OF THE UNITED STATES.**Colleges and universities.**

Course in United States constitution required, §6-61-105.

CONSTRUCTIVE SERVICE.**Colleges and universities.**

Improvement districts.

Assessment liens.

Actions to enforce.

Notice by constructive service, §6-71-124.

CONSUMER PROTECTION.**Colleges and universities.**

Higher education consumer guide act, §§6-61-1701 to 6-61-1703.

CONTRACTS.**Colleges and universities.**

Military training property and equipment, §6-62-102.

Southern regional education compact. Board.

Cooperation and contracts with board, §6-61-402.

Transfer and lease of property of state university.

Execution of contracts, §6-62-605.

Community colleges.

Sharing of facilities, personnel and services, §6-61-524.

Nursing student loan program.

Written loan contract requirement, §6-81-1408.

Osteopathic rural medical practice student loans and scholarships.

Community match contracts with medical school graduates, §6-81-1813.

Contracts with loan applicants, §6-81-1809.

University of Arkansas.

Division of agriculture.

Bureau of research and statistics.

Authority to contract with United States government, §6-64-713.

Research, education and technical extension.

Authority to contract to perform research services, §6-64-905.

Authorization of contracts, §6-64-908.

CONTRACTS —Cont'd**University of Arkansas —Cont'd**

Technology institute.

Research contracts, §6-64-804.

CONVEYANCES.**Colleges and universities.**

Transfer and lease of state university property.

Instruments of conveyance,
§6-62-611.**COSTS.****University of Arkansas.**

Legal education fund.

Levy of additional costs for,
§§6-64-604 to 6-64-606.**COUNTIES.****University of Arkansas for medical sciences.**

State medical center.

Quota of patients from counties,
§6-64-505.

Failure to pay, §6-64-507.

Indigent persons, §6-64-507.

CRIMINAL LAW AND PROCEDURE.**Education.**

Agricultural colleges.

Board of trustees.

Violation of oath.

Arkansas State university
system, §6-65-201.Arkansas Tech university,
§6-65-301.Southern Arkansas university,
§6-65-401.

Faculty and employees.

Hiring restrictions, §6-65-107.

Sale of farm products.

Disposition of proceeds, §6-65-110.

Arkansas State university system.

Board of trustees.

Violation of oath, §6-65-201.

Arkansas Tech university.

Board of trustees.

Violation of oath, §6-65-301.

Postsecondary institutions.

Course requirements, §6-61-105.

Incorporation and certification
requirements, §6-61-301.

Southern Arkansas university.

Board of trustees.

Violation of oath, §6-65-401.

False academic credentials, use of,
§6-61-135.**CRITICAL NEEDS MINORITY
TEACHER SCHOLARSHIP****PROGRAM, §§6-82-1501 to**
6-82-1506.**Administration of program,**

§6-82-1505.

Citation of act, §6-82-1501.**Committee.**

Establishment, §6-82-1506.

Establishment, §6-82-1502.**Minority defined, §6-82-1503.****Purpose, §6-82-1502.****Rules, §6-82-1505.****Service requirement for scholarship**
recipients, §6-82-1504.**Title of act, §6-82-1501.****D****DAMAGES.****Colleges and universities.**

Improvement districts.

Real property.

Petition to acquire private
property.Deposit to cover damages prior
to determination, §6-71-140.Determination of damages,
§6-71-140.

Payment of damages, §6-71-140.

DEAF AND HARD OF HEARING.**American sign language.**

Colleges and universities.

Qualification of American sign
language as foreign language,
§6-61-125.**Colleges and universities.**American sign language as foreign
language, §6-61-125.**Sign language.**

Colleges and universities.

American sign language as foreign
language, §6-61-125.**DEFINED TERMS.****Academic ability.**

Governor's scholarships, §6-82-302.

High technology scholarships,
§6-82-401.**Academic scholarships.**Limitations on expenditures,
§6-80-106.**Account.**Brighter future fund plan act,
§6-84-103.

DEFINED TERMS —Cont'd**Account owner.**

Brighter future fund plan act,
§6-84-103.

ACT.

Academic challenge scholarship
program, §6-85-204.

ACT equivalent.

Academic challenge scholarship
program, §6-85-204.

Administrators.

Colleges and universities, salary
reports, §6-63-316.

Advanced nursing practice.

Advanced nursing practice and nurse
educator loans and scholarships,
§6-81-1201.

Approved high technology program.

High technology scholarships,
§6-82-401.

Approved institution.

Governor's scholarships, §6-82-302.
High technology scholarships,
§6-82-401.

Teacher education program,
§6-81-1602.

Approved institution of higher education.

Academic challenge scholarship
program, §6-85-204.
Arkansas concurrent challenge
scholarship program, §6-85-402.
Arkansas future grant program,
§6-82-1801.
Arkansas workforce challenge
scholarship program, §6-85-302.

Approved school of nursing.

Academic challenge scholarship
program, §6-85-204.

Approved state-supported school of nursing.

Arkansas future grant program,
§6-82-1801.

Arkansas higher education information system, §6-60-901.**Arkansas resident.**

Academic challenge scholarship
program, §6-85-204.

Arkansas school of nursing.

Advanced nursing practice and nurse
educator student loans and
scholarships, §6-81-1201.

Assessors.

College and university improvements,
§6-71-101.

Athletic deficit.

Funding, §6-62-802.

DEFINED TERMS —Cont'd**Athletic expenditures.**

Education, §§6-62-106, 6-62-802.

Athletic facilities.

Higher education technology and
facility improvement act of 2005,
§6-62-1103.

Athletic program.

Funding, §6-62-802.

Bank funds.

Finances of state institutions,
§6-62-601.

Benefits.

Forming open and robust university
minds (FORUM) act, §6-60-1003.

Board of trustees.

Postsecondary institutions, §6-61-1002.

Bonds.

Higher education technology and
facility improvement act of 2005,
§6-62-1103.

Postsecondary institutions, §6-61-1002.

Campus.

Clean air on campus, §6-60-803.

Campus community.

Forming open and robust university
minds (FORUM) act, §6-60-1003.

Capital improvements.

Postsecondary institutions, §6-61-1002.

Capital outlay expense.

Postsecondary institutions, §6-61-501.

Catastrophic illness.

Employees of state institutions,
§6-63-601.

Catastrophic leave.

Employees of state institutions,
§6-63-601.

Catastrophic leave bank.

Employees of state institutions,
§6-63-601.

Center of excellence, §6-61-129.**Certificate program.**

Arkansas concurrent challenge
scholarship program, §6-85-402.
Arkansas workforce challenge
scholarship program, §6-85-302.

Chancellor.

Colleges and universities, §6-60-114.

Child.

Education, §6-82-501.

Child maltreatment.

Child maltreatment mandatory
reporters, §6-61-133.

Classroom teacher.

Dual licensure incentive program,
§6-81-607.

Collector.

College and university improvements,
§6-71-101.

DEFINED TERMS —Cont'd**College.**

Information to be made available by division of higher education, §6-60-1301.

Community college.

Postsecondary institutions, §§6-61-501, 6-61-1002.

Competitive examination.

Governor's scholarships, §6-82-302.

Complex Arkansas healthcare agency.

Advanced nursing practice and nurse educator loans and scholarships, §6-81-1201.

Confucius institute.

Foreign investments, transparency, §6-60-1202.

Continuously enrolled.

Academic challenge scholarship program, §6-85-204.

Contract.

Foreign investments, transparency, §6-60-1202.

Corporate limits.

College and university improvements, §6-71-101.

Cost of attendance.

Scholarship stacking, §6-80-105.

Cost of higher education.

College savings bonds, §6-62-703.

Costs of issuance.

Postsecondary institutions, §6-61-1002.

Counter demonstration.

Forming open and robust university minds (FORUM) act, §6-60-1003.

Covered police officer.

Tuition reduction, §6-60-213.

Data processing.

Postsecondary institutions, §6-61-101.

Debt adjuster, §6-63-301.**Debt service.**

College savings bonds, §6-62-703.
Higher education technology and facility improvement act of 2005, §6-62-1103.

Postsecondary institutions, §6-61-1002.

Department of health.

Advanced nursing practice and nurse educator loans and scholarships, §6-81-1201.

Dependent.

Children of prisoners of war, §6-82-601.
Tuition reduction for police officers, §6-60-213.

Designated beneficiary.

Brighter future fund plan act, §6-84-103.

DEFINED TERMS —Cont'd**Designated transfer degree.**

Colleges and universities, transfer of credits, §6-61-231.

Develop.

College savings bonds, §6-62-703.
Higher education technology and facility improvement act of 2005, §6-62-1103.

Disabled veteran.

Children of prisoners of war, §6-82-601.

District.

College and university improvements, §6-71-101.
Postsecondary institutions, §6-61-501.

Dual licensure.

Teachers, §6-81-607.

E-cigarette.

Clean air on campus, §6-60-803.

Electronic communication.

Colleges and universities, §6-61-126.

Electronic transcript.

Student transcripts, §6-80-107.

Eligible student.

Governor's scholarships, §6-82-302.
Teacher education program, §6-81-1602.

Emergency medical services personnel.

Children scholarships, §6-82-501.

Employee.

Catastrophic leave bank, §6-63-601.
Clean air on campus, §6-60-803.
Social media accounts of current or prospective employees, restrictions on employer access.
Colleges and universities, §6-60-104.

Endorsed concurrent enrollment course.

Arkansas concurrent challenge scholarship program, §6-85-402.

Enrolled.

Academic challenge scholarship program, §6-85-204.

Established policies.

Postsecondary institutions, §6-61-208.

Expenditure data.

Colleges and universities, §6-61-137.

Extraordinary academic ability.

Governor's scholarships, §6-82-302.

Facility improvement projects.

Higher education technology and facility improvement act of 2005, §6-62-1103.

False academic credentials, §6-61-135.

DEFINED TERMS —Cont'd**Federal aid.**

Scholarship stacking, §6-80-105.

Federal student financial assistance.

Arkansas future grant program,
§6-82-1801.

Firefighter.

Children scholarships, §6-82-501.

Food animal.

Veterinary medicine loan repayment
assistance program, §§6-81-1105,
6-81-1106.

Food supply veterinary medicine.

Veterinary medicine loan repayment
assistance program, §§6-81-1105,
6-81-1106.

Foreign source.

Foreign investments, transparency,
§6-60-1202.

Free-speech zone.

Forming open and robust university
minds (FORUM) act, §6-60-1003.

Full-time student.

Governor's scholarships, §6-82-302.
High technology scholarships,
§6-82-401.

Gift.

Foreign investments, transparency,
§6-60-1202.

Governing authority.

Clean air on campus, §6-60-803.

Graduate courses.

Postsecondary institutions, §6-61-528.

Graduate program.

Postsecondary institutions, §6-61-528.

Grant.

Tuition assistance for residents
attending certain out-of-state
schools, §6-81-1101.

Guest.

Clean air on campus, §6-60-803.

Harassment.

Forming open and robust university
minds (FORUM) act, §6-60-1003.

Higher education institution.

Brighter future fund plan act,
§6-84-103.

High school grade point average.

Academic challenge scholarship
program, §6-85-204.

Income.

Finances of state institutions,
§6-62-106.

Industrial quality eye protective devices.

Postsecondary institutions, §6-61-108.

Institution.

Foreign investments, transparency,
§6-60-1202.

DEFINED TERMS —Cont'd**Institution of higher education.**

Arkansas higher education

information system, §6-60-901.

College savings bonds, §6-62-703.

Electronic versions of instructional
materials, §6-68-101.

Homeless and foster student liaison,
§6-60-115.

Mental health and suicide prevention
services, information to be
provided to students, §6-60-112.

Selective service act compliance,
§6-80-102.

Social media accounts of current or
prospective employees, §6-60-104.

Institution of higher learning.

College savings bonds, §6-62-703.

Instructional material or materials.

Electronic versions of instructional
materials, §6-68-101.

Law enforcement officer.

Children's scholarships, §6-82-501.

Lawful permanent residents.

Academic challenge scholarship
program, §6-85-204.

Lease agreement.

Property of state institutions,
§6-62-601.

Legal education fund, §6-64-604.**Licensed school personnel.**

Child maltreatment mandatory
reporters, §6-61-133.

Loan repayment.

Veterinary medicine loan repayment
assistance program, §6-81-1105.

Local board.

Postsecondary institutions, §6-61-501.

Lower division credits.

Colleges and universities, transfer of
credits, §6-61-231.

Master's or doctoral nursing education program.

Advanced nursing practice and nurse
educator loans and scholarships,
§6-81-1201.

Materially and substantially disrupts.

Forming open and robust university
minds (FORUM) act, §6-60-1003.

Medically underserved.

Osteopathic rural medical practice
student loans and scholarships,
§6-81-1802.

Rural medical practice student loans
and scholarships, §6-81-701.

Member of the family.

Brighter future fund plan act,
§6-84-103.

DEFINED TERMS —Cont'd**Minor child.**

Colleges and universities, §6-60-210.

Minority.

Colleges and universities.

Reporting minority enrollment,
§6-61-124.

Geographical critical needs minority
teacher scholarship program,
§6-82-1503.

Higher education minority retention
programs, §6-61-121.

Net proceeds from the state lottery.

Academic challenge scholarship
program, §6-85-204.

New unit of instruction.

Postsecondary institutions, §6-61-208.

Nonlottery state educational resources.

Academic challenge scholarship
program, §6-85-204.

Nonprinted instructional materials.

Electronic versions of instructional
materials, §6-68-101.

Nonqualified withdrawal.

Brighter future fund plan act,
§6-84-103.

Nurse administrator.

Advanced nursing practice and nurse
educator loans and scholarships,
§6-81-1201.

Nurse educator.

Loans and scholarships, §6-81-1201.

Operating expense.

Postsecondary institutions, §6-61-501.

Ordinance delivery.

Children of prisoners of war.
Scholarships, §6-82-601.

Other aid.

Scholarship stacking, §6-80-105.

Outdoor areas of campus.

Forming open and robust university
minds (FORUM) act, §6-60-1003.

Owner.

Property of state institutions,
§6-62-601.

Participating institution.

Tuition assistance for residents
attending certain out-of-state
schools, §6-81-1101.

Veterinary medicine loan repayment
assistance program, §6-81-1105.

Peer institution of higher education.

Higher education consumer guide act,
§6-61-1702.

Performance scholarships.

Limitations on expenditures,
§6-80-106.

DEFINED TERMS —Cont'd**Person.**

College savings bonds, §6-62-703.

Property of state institutions,
§6-62-601.

Person killed in action.

Children's scholarships, §6-82-601.

Person killed on ordinance delivery.

Children's scholarships, §6-82-601.

Person missing in action.

Children's scholarships, §6-82-601.

Planning grant.

Graduate medical education residency
expansion board, §6-82-2002.

Practice of food supply veterinary medicine.

Veterinary medicine loan repayment
assistance program, §§6-81-1105,
6-81-1106.

President.

Colleges and universities, §6-60-114.

Primary care medicine.

Osteopathic rural medical practice
student loans and scholarships,
§6-81-1802.

Rural medical practice student loans
and scholarships, §6-81-701.

Printed instructional materials.

Electronic versions of instructional
materials, §6-68-101.

Prisoner of war.

Children's scholarships, §6-82-601.

Private scholarship.

Arkansas future grant program,
§6-82-1801.

Project.

College savings bonds, §6-62-703.

Postsecondary institutions, §6-61-1002.

Project costs.

College savings bonds, §6-62-703.

Higher education technology and
facility improvement act of 2005,
§6-62-1103.

Postsecondary institutions, §6-61-1002.

Protected activity.

Student journalists, freedom of
expression, §6-60-1101.

Public institution of higher education.

Colleges and universities, transfer of
credits, §6-61-231.

Tuition reduction for police officers,
§6-60-213.

Qualified certificate program.

Academic challenge scholarship
program, §6-85-204.

DEFINED TERMS —Cont'd**Qualified grantee.**

Tuition assistance for residents attending certain out-of-state schools, §6-81-1101.

Qualified higher education expenses.

Brighter future fund plan act, §6-84-103.

Qualified recipient.

Veterinary medicine loan repayment assistance program, §6-81-1105.

Qualified rural community.

Osteopathic rural medical practice student loans and scholarships, §6-81-1802.

Rural medical practice student loans and scholarships, §6-81-701.

Qualified student.

Education, §6-60-202.

Qualified withdrawal.

Brighter future fund plan act, §6-84-103.

Real property.

College and university improvements, §6-71-101.

Recipient.

Academic challenge scholarship program, §6-85-204.

Rural community.

Advanced nursing practice and nurse educator student loans and scholarships, §6-81-1201.

Scholarship.

Governor's scholarships, §6-82-302.
High technology scholarships, §6-82-401.

School-sponsored media.

Student journalists, freedom of expression, §6-60-1101.

Secondhand smoke.

Clean air on campus, §6-60-803.

Semester.

Academic challenge scholarship program, §6-85-204.

Smoking.

Clean air on campus, §6-60-803.

Social media accounts.

Social media accounts of current or prospective employees, restrictions on employer access.
Colleges and universities, §6-60-104.

Specialized format.

Electronic versions of instructional materials, §6-68-101.

State aid.

Scholarship stacking, §6-80-105.

DEFINED TERMS —Cont'd**State correction employee.**

Children scholarships, §6-82-501.

State forestry employee.

Children scholarships, §6-82-501.

State highway employee.

Children's scholarships, §6-82-501.

State institution of higher education.

College savings bonds, §6-62-703.
Higher education technology and facility improvement act of 2005, §6-62-1103.

State legal education fund, §6-64-604.**Statement of selective service status, §6-80-104.**

Postsecondary education, §6-80-102.

State minimum core curriculum.

Colleges and universities, transfer of credits, §6-61-231.

State parks employee.

Children scholarships, §6-82-501.

State-supported institution of higher education.

Forming open and robust university minds (FORUM) act, §6-60-1003.
Higher education consumer guide act, §6-61-1702.

State-supported student financial assistance.

Academic challenge scholarship program, §6-85-204.
Arkansas future grant program, §6-82-1801.

Structural integrity.

Electronic versions of instructional materials, §6-68-101.

Student.

Arkansas concurrent challenge scholarship program, §6-85-402.
Clean air on campus, §6-60-803.
Forming open and robust university minds (FORUM) act, §6-60-1003.
Social media accounts of current and prospective students and employees.
Colleges and universities, §6-60-104.
Teacher dual license incentive program, §6-81-607.

Student aid package.

Scholarship stacking, §6-80-105.

Student journalist, §6-60-1101.**Student media advisor.**

Student journalists, freedom of expression, §6-60-1101.

Student organization.

Forming open and robust university minds (FORUM) act, §6-60-1003.

DEFINED TERMS —Cont'd**Superscore.**

Academic challenge scholarship program, §6-85-204.

Supplant.

Academic challenge scholarship program, §6-85-204.

Taxpayer employee.

Brighter future fund plan act, §6-84-111.

Taxpayer employer.

Brighter future fund plan act, §6-84-111.

Teacher.

Children scholarships, §6-82-501.

Teacher education program,
§6-81-1602.**Technical college.**

Postsecondary institutions, §6-61-1002.

Technology projects.

Higher education technology and facility improvement act of 2005, §6-62-1103.

Traditional students.

Academic challenge scholarship program, §6-85-204.

Transfer.

Property of state institutions, §6-62-601.

Transfer students.

Colleges and universities, transfer of credits, §6-61-231.

Tuition.

Tuition reduction for police officers, §6-60-213.

Undergraduate student.

Governor's scholarships, §6-82-302.

Upper-level course.

Postsecondary institutions, §6-61-528.

Upper-level program.

Postsecondary institutions, §6-61-528.

DENTISTRY SCHOOLS.

Tuition assistance for residents attending out of state schools,
§6-81-1101.

University of Arkansas for medical sciences.

Dental education center, §6-64-421.

DENTISTS AND DENTISTRY.**Education.**

Out-of-state professional dental programs.

Repayment of tuition by state of Arkansas, §§6-81-1103, 6-81-1104.

DENTISTS AND DENTISTRY**—Cont'd****Education —Cont'd**

Tuition assistance for residents attending out-of-state schools, §6-81-1101.

School tuition assistance, §6-81-1101.

Tuition assistance for students attending out of state dentistry school, §6-81-1101.

University of Arkansas.

School of dental hygiene.

Established, §6-64-411.

University of Arkansas for medical sciences.

Dental education center, §6-64-421.

DISABILITIES, INDIVIDUALS WITH.**Colleges and universities.**

Immunization of enrollees.

Physical disabilities, §6-60-504.

DISCRIMINATION.**Colleges and universities.**

Athletic programs.

Women's athletic programs.

Nondiscriminatory application of subchapter, §6-62-806.

Electronic versions of instructional materials.

Failure to comply with provisions as act of discrimination, §6-68-108.

Employees.

Affirmative action programs, §6-63-103.

Forming open and robust university minds (FORUM) act.

Student organizations, nondiscrimination, §6-60-1006.

Teachers.

Teacher opportunity program.

Discrimination prohibited, §6-81-606.

DISEASES.**Colleges and universities.**

Immunization of enrollees, §§6-60-501 to 6-60-504.

Meningococcal disease warning, §6-61-123.

DISTRICTS.

Agricultural colleges, §§6-65-101 to 6-65-112.

Colleges and universities.

Improvement districts, §§6-71-101 to 6-71-142.

DRUGS AND CONTROLLED SUBSTANCES.

Recordkeeping requirements.

- Ephedrine combination products, pseudoephedrine and phenylpropanolamine.
- Log or receipts of transactions, §6-64-1103.

E

EASEMENTS.

Agricultural colleges.

- Arkansas Polytechnic College.
- Authority to grant easements, §6-65-305.
- Proceeds.
- Disposition, §6-65-305.

EAST ARKANSAS COMMUNITY COLLEGE.

President.

- Housing allowance, §6-61-525.

ELECTIONS.

Bond issues.

- Higher education technology and facility improvement, §6-62-1108.

Colleges and universities.

- Improvement districts.
- Approval of chapter.
- Election method, §6-71-105.

Community colleges.

- Local boards.
- Members, §6-61-520.
- Millage taxes, §6-61-522.

ELECTRICITY.

Colleges and universities.

- Electrical energy advancement program.
- Board, §§6-61-1502, 6-61-1503.
- Statewide energy consortium, §6-61-1501.

Statewide energy consortium.

- Electrical energy advancement program, §6-61-1501.
- Board, §§6-61-1502, 6-61-1503.

E-MAIL.

Colleges and universities.

- Privacy policy regarding electronic communications, §6-61-126.
- Social media accounts of prospective or current employees or students.
- Restrictions on use, §6-60-104.

EMERGENCY MEDICAL SERVICES.

Scholarships.

- Children of emergency medical technicians, §§6-82-501 to 6-82-507.

EMERGENCY TELEPHONE SERVICE.

Colleges and universities.

- Panic button alert system, §6-61-140.

EMINENT DOMAIN.

Agricultural colleges.

- Arkansas State University system, §6-65-203.
- Appeals, §6-65-203.
- Procedure, §6-65-203.
- Southern Arkansas University, §6-65-403.
- Action brought in name of state, §6-65-403.
- Appeals, §6-65-403.
- Board of trustees.
- Resolution, §6-65-403.
- Prosecuting attorneys.
- Duty, §6-65-403.

Colleges and universities.

- Action brought in name of board of trustees, §6-62-201.
- Granting power to state colleges and universities.
- Exception, §6-62-201.
- Legal representation of board.
- Attorney general and prosecuting attorneys to represent board, §6-62-201.
- Procedure followed in action, §6-62-201.
- Resolution, §6-62-201.

EMPLOYMENT RELATIONS.

University of Arkansas.

- Accounts and accounting.
- Monthly accounts, §6-64-1005.
- Salaries and compensation, §6-64-210.

ENERGY.

Arkansas energy summary and report.

- §§6-61-1601 to 6-61-1603.
- Institutional energy research committee, §6-61-1602.
- Creation and adoption of summary and report, §6-61-1603.
- Legislative findings, §6-61-1601.
- State supported institutions of higher education participating in energy research.
- Collaboration, §6-61-1601.

ENERGY —Cont'd**Arkansas energy summary and report —Cont'd**

Subjects included in report,
§6-61-1603.

Colleges and universities.

Electrical energy advancement
program.

Board, §§6-61-1502, 6-61-1503.

Statewide energy consortium,
§6-61-1501.

Statewide energy consortium.

Electrical energy advancement
program, §6-61-1501.

Board, §§6-61-1502, 6-61-1503.

**EPHEDRINE COMBINATION
PRODUCTS,
PSEUDOEPHEDRINE AND
PHENYLPROPANOLAMINE.****Log or receipts of transactions.**

Information required of persons
purchasing, receiving or otherwise
acquiring, §6-64-1103.

Pharmacy required to keep,
§6-64-1103.

Sales.

Unlawful sale, §6-64-1103.

Unlawful sale, §6-64-1103.**EYE PROTECTION.****Education.**

Colleges and universities, §6-61-108.

F**FALSE ACADEMIC CREDENTIALS,
§6-61-135.****FAX.****Colleges and universities.**

Privacy policy regarding electronic
communications, §6-61-126.

FEDERAL AID.**Agricultural colleges.**

Arkansas State University.

Participation in federal aid.

Authorized, §6-65-205.

Colleges and universities.

Board of higher education.

State agency for federal programs,
§6-61-212.

Student incentive grant program,
§6-61-401.

Community colleges.

State community college board.

Administration of funds, §6-61-506.

University of Arkansas.

Division of agriculture.

Acceptance of federal aid, §6-64-701.

FEDERAL AID —Cont'd**University of Central Arkansas.**

Participation in federal and state aid.

Authorized, §6-67-104.

FEES.**Colleges and universities.**

Senior citizens.

Waiver of general student fee
charges for persons over sixty,
§6-60-204.

Tuition.

Prisoners of war or persons missing
or killed in action.

Free tuition and fees for
dependents, §6-82-601.

Community colleges.

Activity fees, §6-61-523.

Student fees, §6-61-523.

**University of Arkansas for medical
sciences.**

Medical department.

Collection and disposition,
§6-64-408.

Matriculation and tuition fees,
§6-64-408.

FINES.**Agricultural colleges.**

Faculty and employees.

Hiring restrictions, §6-65-107.

Sale of farm products.

Disposition of proceeds, §6-65-110.

Colleges and universities.

Clean air on campus.

Enforcement of provisions,
§6-60-807.

Education.

Postsecondary institutions.

Course requirements, §6-61-105.

Incorporation and certification
requirements, §6-61-301.

**False academic credentials, use of,
§6-61-135.****FIREFIGHTERS AND FIRE
DEPARTMENTS.****Scholarships.**

Children of firefighters, §§6-82-501 to
6-82-507.

FIRES AND FIRE PREVENTION.**SAU Tech fire training academy.**

Transfer of appropriations, §6-65-412.

FLAGS.**Colleges and universities, §6-60-110.****FOOTBALL.****University of Arkansas.**

Radio broadcasts, §6-64-104.

FORESTERS.**Scholarships.**

Arkansas foresters for the future scholarship program, §§6-82-2101 to 6-82-2103.

FORESTS AND FORESTRY.**Scholarships.**

Arkansas foresters for the future scholarship program, §§6-82-2101 to 6-82-2103.

FORMING OPEN AND ROBUST UNIVERSITY MINDS (FORUM) ACT, §§6-60-1001 to 6-60-1010.**FORMS.****Colleges and universities.**

Improvement districts.

Assessments.

Collection of assessments,
§§6-71-116, 6-71-117.

FORT SMITH, UNIVERSITY OF ARKANSAS, §§6-61-1105, 6-61-1106.**FORUM ACT.**

Forming open and robust university minds (FORUM) act, §§6-60-1001 to 6-60-1010.

FOSTER CARE.**Colleges and universities.**

Homeless and foster student liaison,
§6-60-115.

FREEDOM OF RELIGION.**Colleges and universities.**

Forming open and robust university minds (FORUM) act, §§6-60-1001 to 6-60-1010.

FREEDOM OF SPEECH.**Colleges and universities.**

Forming open and robust university minds (FORUM) act, §§6-60-1001 to 6-60-1010.

Student journalists, §§6-60-1101 to 6-60-1103.

FREEDOM OF THE PRESS.**Colleges and universities.**

Forming open and robust university minds (FORUM) act, §§6-60-1001 to 6-60-1010.

Student journalists, §§6-60-1101 to 6-60-1103.

G**GARLAND COUNTY COMMUNITY COLLEGE.****President.**

Housing allowance, §6-61-525.

GENERAL ASSEMBLY.**Lottery bills.**

Lottery-funded scholarships,
§§6-85-501 to 6-85-503.

GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP PROGRAM, §§6-82-1501 to 6-82-1506.**GIFTS.****University of Arkansas.**

Research, education and technical extension.

Research services.

Acceptance of grants and gifts,
§6-64-905.

GOVERNOR.**Education.**

Governor's scholars program,
§§6-82-301 to 6-82-314.

Scholarships.

Governor's scholars program,
§§6-82-301 to 6-82-314.

GRADUATE MEDICAL EDUCATION RESIDENCY EXPANSION BOARD, §§6-82-2001 to 6-82-2005.

Duties, §6-82-2001.

Established, §6-82-2001.

Members, §6-82-2001.

Planning grants.

Additional years of residency,
§6-82-2005.

Allocation and awarding of funds,
§6-82-2002.

Applications, §6-82-2002.

Funding not sufficient, §6-82-2004.

Priority of awards, §6-82-2004.

Program expansion or new programs,
§6-82-2003.

Terms of office, §6-82-2001.

GRANTS.

Arkansas future grant program, §§6-82-1801 to 6-82-1805.

Colleges and universities.

Selective service act.

Compliance with required,
§6-80-102.

GRANTS —Cont'd**Education.**

Teacher opportunity program,
§§6-81-601 to 6-81-606.

**Graduate medical education
residency expansion board,**
§§6-82-2001 to 6-82-2005.

Hospitals.

Graduate medical education residency
expansion board, §§6-82-2001 to
6-82-2005.

GUARDIAN AD LITEM.**Colleges and universities.**

Improvement districts.

Assessments.

Actions to enforce lien.

Appointment of guardian ad
litem for persons under a
disability, §6-71-138.

H**HEAVY EQUIPMENT OPERATORS.**

**Arkansas heavy equipment operator
training academy,** §§6-61-531 to
6-61-533.

HENDERSON STATE UNIVERSITY.**Board of trustees.**

Abolition and transfer to control of
Arkansas State University system,
§6-66-102.

HIGHER EDUCATION CONSUMER

GUIDE ACT, §§6-61-1701 to
6-61-1703.

HIGHER EDUCATION

**TECHNOLOGY AND FACILITY
IMPROVEMENT ACT OF 2005.**

Bond issues, §§6-62-1101 to 6-62-1122.

HIGH SCHOOLS.

**Enrollment of high school students
as part-time students in
institutions of higher education,**
§6-60-202.

Transcripts, §6-80-107.

**HIGH-TECH SCHOLARSHIP
PROGRAM.**

General provisions, §§6-82-401 to
6-82-410.

HISTORY.**Colleges and universities.**

Course in American history and civil
government.
Required, §6-61-105.

HOMELESS PERSONS.**Colleges and universities.**

Homeless and foster student liaison,
§6-60-115.

**HOSPITALS AND OTHER HEALTH
FACILITIES.**

Resident programs.

Graduate medical education residency
expansion board, §§6-82-2001 to
6-82-2005.

I**IDENTIFICATION.****Colleges and universities.**

Student identification badges or cards.
Hotlines and other information to be
included, §6-60-118.

Prohibited use of social security
number, §6-61-126.

Schools and education.

Student identification badges.
Hotlines and other information to be
included, §6-60-118.

IMMUNITY.

Brighter future fund plan act,
§6-84-112.

IMMUNIZATION.**Colleges and universities.**

Immunization of enrollees, §§6-60-501
to 6-60-504.

IMPROVEMENT DISTRICTS.

Colleges and universities, §§6-71-101
to 6-71-142.

IMPROVEMENTS.**Community colleges.**

Bond issues for capital improvements
generally, §§6-61-1001 to
6-61-1014.

Technical colleges.

Bond issues for capital improvements,
§§6-61-1001 to 6-61-1014.

INCOME WITHHOLDING.**University and college employees.**

Deductions for contributions to
institutional fundraising,
foundations and capital
campaigns, §6-63-304.

INDOOR CLEAN AIR ACT.**Colleges and universities.**

Clean air on campus, §§6-60-801 to
6-60-807.

INJUNCTIONS.**Colleges and universities.**

Forming open and robust university minds (FORUM) act.

Remedies for violations, §6-60-1009.

Forming open and robust university minds (FORUM) act.

Remedies for violations, §6-60-1009.

IN REM PROCEEDINGS.**Colleges and universities.**

Improvement districts.

Assessments.

Liens.

Actions to enforce, §6-71-122.

INSURANCE.**Colleges and universities.**

Employees.

Salary deductions for group insurance premiums, §6-63-102.

Transfer and lease of state university property.

Title insurance, §6-62-611.

INTEREST.**Colleges and universities.**

Improvement districts.

Assessments.

Actions to enforce lien.

Redemption, §6-71-134.

Technical college or community college capital improvement bonds, §6-61-1007.**University of Arkansas.**

Revolving loan fund, §6-81-404.

Adding of interest to revolving perpetual fund, §6-81-408.

INTERNET.**Colleges and universities.**

Expenditure data presentation, §6-61-137.

Governing boards, accountability and transparency at state-supported institutions.

Information to be posted on websites, §6-60-113.

Social media accounts of prospective or current employees or students.

Restrictions on use, §6-60-104.

INVESTIGATIONS.**Osteopathic rural medical practice student loans and scholarships.**

Investigation of medical student after application for loan, §6-81-1805.

INVESTIGATIONS —Cont'd**University of Arkansas for medical sciences.**

Medical department.

Rural medical practice student loans and scholarships.

Applications to be investigated, §6-81-704.

INVESTMENTS.**Brighter future fund plan act.**

Direction of investment, §6-84-106.

Investment committee, §6-84-105.

Tax deductions, §6-84-111.

Colleges and universities.

Foreign investments, transparency, §§6-60-1201 to 6-60-1205.

Transfer and lease of state university property, §6-62-613.

Foreign investments, transparency, §§6-60-1201 to 6-60-1205.**University of Arkansas.**

Legal education fund.

Legal investments, §6-64-615.

Retirement or pension system funds, §6-64-615.

J**JUNIOR COLLEGES.****Community colleges.**

Division of community junior colleges.

Creation, §6-61-504.

JURY AND JURY TRIAL.**Colleges and universities.**

Improvement districts.

Real property.

Petition to acquire private property.

Trial by jury, §6-71-140.

L**LAW ENFORCEMENT OFFICERS.****Arkansas police corps program.**

Administration, §§6-82-1204 to 6-82-1206.

Lead agency, §§6-82-1205, 6-82-1206.

Purpose of subchapter, §6-82-1201.

Colleges and universities.

Tuition reduction for state police officers, §6-60-213.

LAW SCHOOL.**University of Arkansas.**

General provisions, §§6-64-601 to 6-64-621.

LEASES.**Colleges and universities.**

Transfer and lease of property of state university, §§6-62-601 to 6-62-613.

University of Arkansas.

Research, education and technical extension.

Leases authorized, §6-64-908.

LIBRARIES.**University of Arkansas.**

Research, education and technical extension.

Computer and technical library facilities authorized, §6-64-904.

LIENS.**Colleges and universities.**

Improvement districts.

Assessments, §§6-71-109, 6-71-113.

LIMITATION OF ACTIONS.**Colleges and universities.**

Forming open and robust university minds (FORUM) act.

Remedies for violations, §6-60-1010.

Forming open and robust university minds (FORUM) act.

Remedies for violations, §6-60-1010.

University of Arkansas.

Revolving loan fund.

Defenses invalid, §6-81-407.

LOANS.**Colleges and universities.**

Private borrowing by institutions of higher education, §6-62-105.

Selective service act.

Compliance with required, §6-80-102.

Student financial aid.

Stacking of scholarships, §6-80-105.

Osteopathic rural medical practice student loans and scholarships,

§§6-81-1801 to 6-81-1817.

Rural medical practice student loans and scholarships.

Osteopathic rural medical practice student loans and scholarships, §§6-81-1801 to 6-81-1817.

LOTTERIES.**Academic challenge scholarship program, §§6-85-201 to 6-85-221.****Scholarships funded by lottery proceeds.**

Academic challenge scholarship program, §§6-85-201 to 6-85-221.

LOTTERIES —Cont'd**Scholarships funded by lottery proceeds —Cont'd**

Procedure for creating or amending, §§6-85-501 to 6-85-503.

M**MEDICAL SCHOOLS.****Graduate medical education residency expansion board, §§6-82-2001 to 6-82-2005.****Osteopathic rural medical practice student loans and scholarships, §§6-81-1801 to 6-81-1817.****MENTAL HEALTH.****Colleges and universities.**

Mental health and suicide prevention services.

Information to be provided to students, §6-60-112.

METHAMPHETAMINE.**Ephedrine combination products, pseudoephedrine and phenylpropanolamine.**

Log or receipts of transactions.

Information required of persons purchasing, receiving or otherwise acquiring, §6-64-1103.

Pharmacy required to keep, §6-64-1103.

Sales.

Unlawful sale, §6-64-1103.

MICHAEL LAWDON BRANSCUM ACT.**Posthumous college degrees, §6-61-138.****MILITARY.****Colleges and universities.**

Military training property and equipment.

Contracts for, §6-62-102.

Prisoners of war or persons missing or killed in action.

Tuition.

Free tuition and fees for dependents, §6-82-601.

Students or spouses of students called into military service, §6-61-112.

Tuition.

In-state tuition for veterans, military personnel and dependents, §6-60-205.

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents, §6-82-601.

MINES AND MINERALS.**Agricultural colleges.**

- Arkansas Polytechnic College.
- Lease of mineral lands authorized,
§6-65-304.
- Proceeds of lease, §6-65-304.

MINORITIES.**Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.****Scholarship or grant program.**

- Annual review by state board of education, §6-82-102.

Teachers.

- Scholarships.
- Critical needs minority teacher scholarship program,
§§6-82-1501 to 6-82-1506.

MISSING IN ACTION.**Colleges and universities.**

- Tuition.
- Free tuition and fees for dependents of persons missing or killed in action, §6-82-601.

MISSISSIPPI COUNTY**COMMUNITY COLLEGE.****President.**

- Housing allowance, §6-61-525.

University center, §6-61-528.

- Creation, §6-61-528.
- Purposes, §6-61-528.

MORTGAGES AND DEEDS OF TRUST.**Colleges and universities.**

- Transfer and lease of state university property.
- Right to mortgage or encumber property, §6-62-607.

MUNICIPALITIES.**University of Arkansas for medical sciences.**

- State medical center.
- Quota of patients from municipalities, §6-64-505.
- Failure to pay, §6-64-507.
- Statement mailed to municipalities, §6-64-507.

N**NAMES.****University of Arkansas for medical sciences.**

- Medical department, §6-64-401.

NATIONAL ANTHEM.**Star-Spangled Banner act.**

- Playing of national anthem at schools and school-sanctioned sporting events, §6-60-116.

NATIONAL GUARD.**Colleges and universities.**

- Participants in the tuition assistance plan.
- Tuition waiver for soldiers and airmen, §6-60-211.
- Prisoners of war or persons missing or killed in action.
- Free tuition and fees for dependents, §6-82-601.

Community colleges.

- Participants in the tuition assistance plan.
- Tuition waiver for soldiers and airmen, §6-60-211.

Tuition assistance plan, §6-60-211.**Tuition benefits for members, §6-60-214.****NEPOTISM.****Agricultural colleges.**

- Districts.
- Schools.
- Penalty, §6-65-107.

University of Arkansas.

- Board of trustees.
- Employment of relatives.
- Exceptions, §6-64-214.
- Liability for drawing warrants in favor of relatives, §6-64-214.

NONRESIDENTS.**Colleges and universities.**

- Admission.
- Regulation of admission and enrollment, §6-60-201.
- Improvement districts.
- Assessments.
- Actions to enforce lien.
- Publication of notice where owners nonresidents, §6-71-137.

NORTH ARKANSAS COMMUNITY COLLEGE.**President.**

- Housing allowance, §6-61-525.

NOTICE.**Colleges and universities.**

- Buildings.
- Bond issues.
- Commission on coordination of higher education finance, §6-62-306.

NOTICE —Cont'd**Colleges and universities —Cont'd**

Clean air on campus.

Prohibition on smoking
communicated by means of "no
smoking" signs, §6-60-805.

Improvement districts.

Assessments, §§6-71-107, 6-71-113.

Actions to enforce lien.

Publication of notice where
owners are nonresidents,
infants or persons under a
disability, §6-71-137.

Publication of notice for collection,
§6-71-117.

Sale of property to enforce lien,
§6-71-128.

Public notice of passage of chapter,
§6-71-105.

Real property.

Petition to acquire private
property, §6-71-140.

NURSES.**Advanced nursing practice and
nurse educator loans and
scholarships, §§6-81-1201 to
6-81-1209.**

Conditions.

Rural advanced nursing practice or
nurse educator loan contracts,
§6-81-1204.

Construction of provisions, §6-81-1209.

Definitions, §6-81-1201.

Effect of provisions, §6-81-1209.

Rural advanced nursing practice or
nurse educator loans.

Conditions and obligations,
§6-81-1204.

Eligibility, §6-81-1203.

Advanced practice nurses.

University of Arkansas for medical
sciences.

Advanced practice nurses at area
health education centers,
§6-64-422.

Education.

Advanced nursing practice and nurse
educator loans and scholarships,
§§6-81-1201 to 6-81-1209.

Nursing student loan program,

§§6-81-1401 to 6-81-1412.

Acceleration of loan upon loss of good
standing, §6-81-1410.

Administration, §6-81-1402.

Amount of loans, §6-81-1405.

Cancellation of principal and interest.

Practice or teaching of nursing,
§6-81-1409.

NURSES —Cont'd**Nursing student loan program**

—Cont'd

Commitments for eligibility,
§6-81-1404.

Composition of fund, §6-81-1401.

Eligibility for loan, §6-81-1404.

Interest, §6-81-1411.

Loss of good standing.

Acceleration of loan upon loss of
good standing, §6-81-1410.

Maximum amount of loans,
§6-81-1405.

Powers and duties of board,
§6-81-1403.

Renewal, §6-81-1407.

Repayment of loan, §6-81-1411.

Rulemaking authority, §6-81-1412.

Term of loan, §6-81-1406.

Written loan contract, §6-81-1408.

Registered nurses.

Scholarships.

Academic challenge scholarship
program.

Nursing school eligibility,
§6-85-213.

Scholarships.

Academic challenge scholarship
program.

Nursing school eligibility, §6-85-213.

Student loans.

Advanced nursing, §§6-81-1201 to
6-81-1209.

Nursing student loan program,
§§6-81-1401 to 6-81-1412.

University of Arkansas.

College of nursing.

Improvements.

Use of funds, §6-64-417.

**University of Arkansas for medical
sciences.**

Advanced practice nurses at area
health education centers,
§6-64-422.

O**OATHS OR AFFIRMATIONS.****Agricultural colleges.**

Arkansas state university system.

Board of trustees.

Oath of office of members,
§6-65-201.

Arkansas Tech university.

Board of trustees.

Oath of office, §6-65-301.

Southern Arkansas university.

Board of trustees.

Oath of office, §6-65-401.

OATHS OR AFFIRMATIONS —Cont'd**Colleges and universities.**

- Improvement districts.
- Assessors, §6-71-107.
- Commissioners, §6-71-104.

OPTOMETRISTS.**Tuition assistance for residents attending out of state optometry schools, §6-81-1101.****OPTOMETRY SCHOOLS.****Tuition assistance for residents attending out of state schools, §6-81-1101.****OSTEOPATHS.****Rural medical practice student loans and scholarships,**

§§6-81-1801 to 6-81-1817.

- Administration of program, §6-81-1817.

- Alternates on waiting list for acceptance to medical school, §6-81-1815.

Amount of loans, §6-81-1808.

Application for loan, §6-81-1804.

Board.

- Compensation of members, §6-81-1803.

Created, §6-81-1803.

Duties, §6-81-1803.

Members, §6-81-1803.

Reporting requirements, §6-81-1811.

Breach of contract, §6-81-1812.

Community match contracts with medical school graduates.

Eligibility, §6-81-1813.

Terms and conditions, §6-81-1814.

Contracts with loan applicants, §6-81-1809.

Tracking of compliance, §6-81-1816.

Creation of fund, §6-81-1801.

Definitions, §6-81-1802.

Dispute resolution, §6-81-1812.

Eligibility for loan, §6-81-1807.

Funding of loans, §6-81-1810.

Investigation of medical student after application for loan, §6-81-1805.

Maximum amount of loans, §6-81-1808.

Purpose of loan, §6-81-1806.

Renewal loans, §6-81-1807.

Reporting requirements, §6-81-1811.

OSTEOPATHY SCHOOLS.**Tuition assistance for residents attending out of state schools, §6-81-1101.****P****PERSONNEL.****Colleges and universities.**

- Board of higher education.
- Policies and administration, §6-61-214.

PETITIONS.**Colleges and universities.**

- Improvement districts.
- Approval of chapter.
- Petition method, §6-71-105.

PHARMACISTS AND PHARMACIES.**University of Arkansas.**

- School of pharmacy.
- Authorized, §6-64-410.
- Improvements.
- Use of funds, §6-64-417.

PHILLIPS COUNTY COMMUNITY COLLEGE.**President.**

- Housing allowance, §6-61-525.

PHYSICIANS AND SURGEONS.**Graduate medical education**

residency expansion board,
§§6-82-2001 to 6-82-2005.

Rural medical practice student loans and scholarships.

Osteopathic rural medical practice student loans and scholarships, §§6-81-1801 to 6-81-1817.

University of Arkansas for medical sciences.

Medical department, §§6-64-401 to 6-64-416.

PINE TREE RESEARCH STATION.**Preservation and protection,**

§6-64-718.

PLANNING.**Colleges and universities.**

- Board of higher education, §§6-61-205 to 6-61-207.
- Encouragement of participation by private institutions, §6-61-305.

PODIATRISTS.**Tuition assistance for residents**

attending out of state podiatry schools, §6-81-1101.

PODIATRY SCHOOLS.**Tuition assistance for residents attending out of state schools, §6-81-1101.**

POPULAR NAMES AND SHORT TITLES.

- Academic challenge scholarship program**, §§6-85-201 to 6-85-221.
- Arkansas concurrent challenge scholarship program**, §§6-85-401 to 6-85-406.
- Arkansas foresters for the future scholarship program act of 2021**, §6-82-2101.
- College campuses**, §§6-60-801 to 6-60-807.
- Forming open and robust university minds (FORUM) act**, §6-60-1001.
- Higher education consumer guide act**, §6-61-1701.
- Highly qualified professional and teacher act**, §6-63-105.
- Star-Spangled Banner Act**, §6-60-116.
- Transparency in foreign investments act**, §6-60-1201.

PREGNANCY.

- Colleges and universities.**
 - Unplanned pregnancies action plan, §6-60-106.

PRISONERS OF WAR.

- Colleges and universities.**
 - Tuition.
 - Free tuition and fees for dependents, §6-82-601.

PROPERTY.

- University of Central Arkansas.**
 - Board of trustees.
 - Powers as to property, §6-67-102.

PROSECUTING ATTORNEYS.

- Agricultural colleges.**
 - Southern Arkansas University.
 - Eminent domain.
 - Duty of attorney, §6-65-403.

Colleges and universities.

- Eminent domain.
- Legal representation of board, §6-62-201.

PROTESTS.

- Forming open and robust university minds (FORUM) act**, §§6-60-1001 to 6-60-1010.

PUBLICATION.

- Agricultural colleges.**
 - Districts.
 - Schools.
 - Cooperation on research and publications, §6-65-109.

**PUBLICATION —Cont'd
Colleges and universities.**

- Improvement districts.
- Assessments.
- Actions to enforce lien.
 - Notice published where owners are nonresidents or persons under a disability, §6-71-137.
 - Notice for collection, §6-71-117.
- University of Arkansas.**
 - Division of agriculture.
 - Bureau of research and statistics.
 - Use of material and information in publications, §6-64-715.
- University of Arkansas for medical sciences.**
 - Medical department.
 - Admissions policies and procedures to be published, §6-64-406.

PUBLIC FUNDS.

- Arkansas State University-Beebe fund**, §6-65-216.
- Colleges and universities.**
 - Higher education consolidation matching fund, §6-60-102.
- Higher education consolidation matching fund**, §6-60-102.
- Osteopathic rural medical practice student loans and scholarship fund**, §6-81-1801.
- University of Central Arkansas.**
 - Board of trustees.
 - Duties of treasurer of state, §6-67-111.

PUBLIC PURCHASING AND CONTRACTING.

- Community colleges.**
 - Purchases from board members and employees, §6-61-613.

R**RACIAL MINORITIES.**

- Colleges and universities.**
 - Affirmative action programs, §6-63-103.
 - Charters, bylaws or rules of institutions.
 - Removal of references to race, §6-61-113.
 - Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.
 - Higher education minority retention programs, §6-61-122.
 - Minority defined, §6-61-121.

RACIAL MINORITIES —Cont'd**Critical needs minority teacher**

scholarship program, §§6-82-1501 to 6-82-1506.

Higher education minority retention programs, §6-61-122.

Minority defined, §6-61-121.

Teachers.

Critical needs minority teacher

scholarship program, §§6-82-1501 to 6-82-1506.

RADIO.**University of Arkansas.**

Basketball games, §6-64-104.

Football games, §6-64-104.

RAILROADS.**Agricultural colleges.**

Districts.

Schools.

Faculty.

Free transportation to faculty members, §6-65-108.

REAL PROPERTY.**Colleges and universities.**

Improvement districts.

Damages.

Petition to acquire private property, §6-71-101.

Defined, §6-71-101.

Petition to acquire private property.

Contents, §6-71-140.

Damages.

Deposit to cover damages prior to determination, §6-71-140.

Determination, §6-71-140.

Payment, §6-71-140.

Deposit to cover damages prior to determination, §6-71-140.

Entry on land after deposit, §6-71-140.

Jury trial, §6-71-140.

Power to hold and acquire, §6-71-139.

Petition to acquire private property.

Improvement districts, §6-71-140.

Transfer and lease of property of state university, §§6-62-601 to 6-62-613.

Rich Mountain Community College.

Transfer of title to certain land, §6-61-704.

University of Arkansas.

Donated land.

Execution of deed, §6-64-218.

Power to sell, §6-64-218.

RECORDATION OF DOCUMENTS.**Colleges and universities.**

Trust conveyances to state for higher learning institutions, §6-62-503.

RECORDS.**Controlled substances.**

Recordkeeping requirements.

Ephedrine combination products, pseudoephedrine and phenylpropanolamine, §6-64-1103.

University of Arkansas.

Financial assistance.

Applications, §6-80-101.

RELIGION.**Colleges and universities.**

Immunization of enrollees.

Religious objections, §6-60-504.

Teachers.

Religious clothing.

Authorized to wear, §6-63-101.

REPORTS.**Agricultural colleges.**

Districts.

Schools.

Boards of trustees, §6-65-112.

Arkansas energy summary and

report, §§6-61-1601 to 6-61-1603.

Colleges and universities.

Athletic expenditures and revenues.

Uniform reporting, §6-62-106.

Athletic programs.

Expenditures, §6-62-807.

Comprehensive Arkansas higher education annual report, §§6-60-701 to 6-60-705.

Employees.

Higher education expenditure restrictions.

Administrators.

Salaries, reporting, §6-63-316.

Transfers of appropriations from contingency appropriation.

Monthly reports, §6-63-312.

Financial condition report, §6-61-222.

Graduates requiring postsecondary remediation, §6-61-221.

Minority enrollment, §6-61-124.

Private outside work using campus facilities.

Financial reports, §6-62-401.

Remediation cost for academic year.

Required as condition for receiving state funds, §6-62-107.

REPORTS —Cont'd**Colleges and universities —Cont'd**

Textbooks and course materials.

Inducements to require certain materials, §6-60-602.

Energy.

Arkansas energy summary and report, §§6-61-1601 to 6-61-1603.

Osteopathic rural medical practice student loans and scholarships.

Board, §6-81-1811.

Scholarships.

Academic challenge scholarship program.

Accountability and transparency of program.

Annual report regarding use of lottery proceeds, §6-85-220.

Institution reporting, §6-85-216.

Legislative committees, reports to, §6-85-219.

University of Arkansas.

Expenditures, §6-64-216.

Financial assistance.

Applications, §6-80-101.

Medical center.

Periodic progress reports, §6-64-414.

Radio broadcasting of football and basketball games, §6-64-104.

University of Arkansas for medical sciences.

Medical department.

Family practice department, §6-64-409.

Rural medical practice student loans and scholarships.

Board's reports, §6-81-711.

University of Central Arkansas.

Board of trustees.

Biennial report to general assembly, §6-67-114.

RESEARCH.**Colleges and universities.**

Research development act, §§6-61-801 to 6-61-808.

Research development act,

§§6-61-801 to 6-61-808.

RETALIATION.**Colleges and universities.**

Clean air on campus.

Prohibition of smoking, §6-60-804.

RICH MOUNTAIN COMMUNITY COLLEGE.**Building trades construction program, §6-61-708.****Comprehensive institution.**

Operation as, §6-61-705.

RICH MOUNTAIN COMMUNITY COLLEGE —Cont'd**Construction and interpretation.**

Cumulative nature of provisions, §6-61-703.

Polk County community college.

Use of name, §6-61-702.

Cumulative nature of provisions, §6-61-703.**Employees.**

Status of certain employees, §6-61-706.

Henderson state university.

Mena off-campus branch.

Employees, §6-61-706.

Legislative declaration, §6-61-701.**Name, §6-61-702.****Polk County community college.**

Use of name, §6-61-702.

Purpose of provisions, §6-61-701.**Real property.**

Transfer of title to certain land, §6-61-704.

RURAL MEDICAL PRACTICE STUDENT LOANS AND SCHOLARSHIPS.**Osteopathic rural medical practice student loans and scholarships, §§6-81-1801 to 6-81-1817.****RURAL MEDICAL SERVICES.****Osteopathic rural medical practice student loans and scholarships, §§6-81-1801 to 6-81-1817.****S****SALES.****Agricultural colleges.**

Farm products.

Disposition of proceeds, §6-65-110.

Technical college or community college capital improvement bonds, §6-61-1008.**SAVINGS BONDS.****Arkansas college savings bond act.**

Colleges and universities, §§6-62-701 to 6-62-726.

SCHOLARSHIPS.**Academic challenge scholarship program, §§6-85-201 to 6-85-221.**

Accountability and transparency of program, §§6-85-214 to 6-85-221.

Annual report regarding use of lottery proceeds, §6-85-220.

Higher education division.

Legislative research bureau, information from, §6-85-217.

SCHOLARSHIPS —Cont'd**Academic challenge scholarship program —Cont'd**

Accountability and transparency of program —Cont'd

Higher education division —Cont'd

Reporting to, §6-85-216.

Importance, §6-85-214.

Legislative findings and intent, §6-85-214.

Reports.

Legislative committees, reports to, §6-85-219.

Amount of award, §6-85-212.

Applicability, §6-85-203.

Arkansas resident.

Defined, §6-85-204.

Eligibility, §6-85-206.

Continuing eligibility, §6-85-210.

Definitions, §6-85-204.

Duration of scholarship, §6-85-210.

Eligibility, §6-85-206.

Continuing eligibility, §6-85-210.

Nontraditional students, additional requirements, §6-85-208.

Traditional students, additional requirements, §6-85-207.

Established, §6-85-202.

Funding scholarships, §6-85-212.

Higher education division.

Authority as to provisions, §6-85-205.

Leave of absence for traditional student, §6-85-221.

Legislative findings and intent, §6-85-201.

Lottery-funded scholarships, procedure for creating or amending, §§6-85-501 to 6-85-503.

Nontraditional students.

Additional eligibility requirements, §6-85-208.

Nursing school eligibility, §6-85-213.

Rulemaking to implement provisions, §6-85-205.

Scholarship hold for traditional students, §6-85-221.

Traditional students.

Additional eligibility requirements, §6-85-207.

Defined, §6-85-204.

Leave of absence, §6-85-221.

Scholarship hold, §6-85-221.

Academic support scholarship, §6-82-108.**Arkansas concurrent challenge scholarship program, §§6-85-401 to 6-85-406.**

Amount of scholarship, §6-85-405.

SCHOLARSHIPS —Cont'd**Arkansas concurrent challenge scholarship program —Cont'd**

Award of scholarship, §6-85-405.

Creation of program, §6-85-401.

Definitions, §6-85-402.

Eligible students, §6-85-403.

Funding, §6-85-404.

Rulemaking to implement provisions, §6-85-406.

Arkansas foresters for the future scholarship program, §§6-82-2101 to 6-82-2103.**Arkansas future grant program, §§6-82-1801 to 6-82-1805.****Arkansas workforce challenge scholarship program, §§6-85-301 to 6-85-307.**

Agreements with other institutions to allow students to take courses, §6-85-306.

Award of funds, §6-85-305.

Carryover of unexpended funds, §6-85-303.

Created, §6-85-301.

Definitions, §6-85-302.

Distribution of scholarships, §6-85-305.

Eligibility for scholarship, §6-85-304.

Funding of program, §6-85-303.

Rulemaking to implement provisions, §6-85-307.

Colleges and universities.

Academic and performance scholarships.

Limitations on expenditures for, §6-80-106.

Academic challenge scholarship program, §§6-85-201 to 6-85-221.

Administration by division of higher education, §6-82-105.

Governor's scholars program, §§6-82-301 to 6-82-314.

Lottery-funded scholarships, procedure for creating or amending, §§6-85-501 to 6-85-503.

Minority scholarship or grant programs.

Annual review, §6-82-102.

Peace officers, firefighters, teachers and certain state employees, §§6-82-501 to 6-82-507.

Police corps program, §§6-82-1201 to 6-82-1206.

Policy academy internship in Washington, D.C.

Award of scholarship to students accepted, §6-82-106.

SCHOLARSHIPS —Cont'd**Colleges and universities —Cont'd**

Selective service act.

Compliance with required,
§6-80-102.

Concurrent challenge scholarship program, §§6-85-401 to 6-85-406.

Criminal conviction, effect on eligibility, §6-82-107.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

Definitions.

Academic challenge scholarship program, §6-85-204.

Essays required for institutional scholarships.

Retention by institution, §6-80-108.

Foresters for the future scholarship program, §§6-82-2101 to 6-82-2103.

Eligibility, §6-82-2103.

Establishment, §6-82-2102.

Title of provisions, §6-82-2101.

Geographical critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

Governor's scholars program, §§6-82-301 to 6-82-314.

High-Tech scholarship program, §§6-82-401 to 6-82-410.

Lottery-funded scholarships.

Academic challenge scholarship program, §§6-85-201 to 6-85-221.

Procedure for creating or amending, §§6-85-501 to 6-85-503.

Bill introduction, §6-85-501.

Committee consideration of bills, §6-85-503.

Fiscal impact statements, §6-85-502.

Minority scholarship or grant program.

Annual review by state board of higher education, §6-82-102.

Osteopathic rural medical practice student loans and scholarships, §§6-81-1801 to 6-81-1817.

Police corps program, §§6-82-1201 to 6-82-1206.

Teachers.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

Scholarships for teachers in high-needs subject areas, §6-82-1901.

University assisted teacher recruitment and retention grant program, §6-81-1301.

SCHOLARSHIPS —Cont'd**University of Arkansas.**

Minority scholarship or grant program.

Annual review by state board of higher education, §6-82-102.

University of Arkansas for medical sciences.

Medical department, §6-64-408.

Workforce challenge scholarship program, §§6-85-301 to 6-85-307.

SCHOOL DISTRICTS.

Faculty involvement program, §6-63-502.

SCHOOL PERSONNEL.

Child maltreatment mandatory reporters, §6-61-133.

Higher education expenditure restrictions, §§6-63-301 to 6-63-316.

SCHOOLS AND EDUCATION.**Adults.**

Arkansas workforce challenge scholarship program, §§6-85-301 to 6-85-307.

Arkansas geographical critical needs minority teacher scholarship program act of 2001, §§6-82-1501 to 6-82-1506.

Child abuse and neglect.

Mandatory reporters.

Training requirements, §6-61-133.

College cost and job opportunities.

Information to be made available, §§6-60-1301 to 6-60-1305.

Collection and compilation of information by division of higher education, §6-60-1302.

Cooperation of other entities, §6-60-1302.

Definition of college, §6-60-1301.

Effective date of provisions, §6-60-1305.

Middle and high school students, information from department of education, §6-60-1304.

Ready for Life initiative database information to be included, §6-60-1303.

Courses of study.

Personal finance and macroeconomics action plan, §6-60-117.

Definitions.

Governor's scholars program, §6-82-302.

High-tech scholarship program, §6-82-401.

SCHOOLS AND EDUCATION

—Cont'd

Dental students.

Out-of-state professional dental programs.

Repayment of tuition by state of Arkansas, §§6-81-1103, 6-81-1104.

Eye protection.

Colleges and universities, §6-61-108.

Faculty involvement program,

§6-63-502.

Financial literacy.

Personal finance and macroeconomics action plan, §6-60-117.

Governor's scholars program.

Academic ability.

Defined, §6-82-302.

Administration of program, §6-82-304.

Allocation of scholarships, §6-82-311.

Amount of scholarships, §6-82-312.

Approved institutions.

Defined, §6-82-302.

Arkansas governor's distinguished scholars.

Designation of students as, §6-82-306.

Recipients known as, §6-82-305.

Arkansas governor's scholars.

Recipients known as, §6-82-305.

Award of scholarships, §6-82-309.

Baccalaureate degree.

Scholarships not to be utilized for purposes beyond, §6-82-310.

Creation of program, §6-82-303.

Definitions, §6-82-302.

Determinations by legislature, §6-82-301.

Division of higher education.

Administration of program, §6-82-304.

Award of scholarships.

Manner to be determined by division, §6-82-309.

Defined, §6-82-302.

Duration of scholarships, §6-82-311.

Eligibility for award, §6-82-306.

Continuing eligibility, §6-82-311.

Eligible student.

Defined, §6-82-302.

Establishment of program, §6-82-303.

Examinations.

Competitive examination.

Defined, §6-82-302.

Full-time student.

Defined, §6-82-302.

Legislative declaration, §6-82-301.

SCHOOLS AND EDUCATION

—Cont'd

Governor's scholars program

—Cont'd

Maximum amount of scholarships, §6-82-312.

Number of scholarships, §6-82-308.

Qualifications of applicants, §6-82-306.

Refunds, §6-82-314.

Renewal of scholarships, §6-82-311.

Responsibility of applicants, §6-82-307.

Rules.

Responsibilities of applicant, §6-82-307.

Superior academic ability.

Criteria for satisfying, §6-82-306.

Termination of scholarships, §6-82-313.

Term of scholarships, §6-82-311.

Undergraduate student.

Defined, §6-82-302.

Use of scholarship, §6-82-310.

Withdrawal from school.

Refund, §6-82-314.

Grants.

Teacher opportunity program, §§6-81-601 to 6-81-606.

Higher education expenditure restrictions, §§6-63-301 to 6-63-316.**High-Tech scholarship program.**

Academic ability.

Defined, §6-82-401.

Administration, §6-82-403.

Allocation of scholarships, §6-82-409.

Amount of scholarships, §6-82-408.

Applications.

Requirements, §6-82-405.

Approved high technology program.

Defined, §6-82-401.

Approved institutions.

Defined, §6-82-401.

Award of scholarships, §6-82-406.

Number of scholarships, §6-82-407.

Citation of program, §6-82-402.

Created, §6-82-402.

Definitions, §6-82-401.

Division.

Authority, §6-82-403.

Award of scholarship.

Manner to be determined by division, §6-82-406.

Duration of scholarships, §6-82-409.

Eligibility for scholarship, §6-82-404.

Established, §6-82-402.

Full-time student.

Defined, §6-82-401.

SCHOOLS AND EDUCATION

—Cont'd

High-Tech scholarship program

—Cont'd

- Maximum amount of scholarships, §6-82-408.
- Number of scholarships, §6-82-407.
- Refunds, §6-82-410.
- Renewal of scholarships, §6-82-409.
- Responsibility of applicant, §6-82-405.
- Scholarship.
 - Defined, §6-82-401.
 - Term of scholarships, §6-82-409.
 - Withdrawal from school.
 - Refunds, §6-82-410.

Identification badges for students.

- Hotlines and other information to be included, §6-60-118.

National anthem.

- Star-Spangled Banner act.
 - Playing of national anthem at schools and school-sanctioned sporting events, §6-60-116.

Patriotism.

- Star-Spangled Banner act.
 - Playing of national anthem at schools and school-sanctioned sporting events, §6-60-116.

Rules.

- Critical needs minority teacher scholarship program, §6-82-1505.
- Nursing student loan program, §6-81-1412.

Scholarships.

- Governor's scholars program, §§6-82-301 to 6-82-314.

Southern regional education compact.

- Board.
 - Contracts in cooperation with boards of trustees of universities and colleges and community colleges, §6-61-402.
- Colleges and universities.
 - Cooperation with board, §6-61-402.

Star-Spangled Banner act.

- Playing of national anthem at schools and school-sanctioned sporting events, §6-60-116.

Student identification badges.

- Hotlines and other information to be included, §6-60-118.

University of Arkansas, §§6-64-101 to 6-64-1013.**University of Central Arkansas, §§6-67-101 to 6-67-114.****SECONDHAND SMOKE.****Colleges and universities.**

- Clean air on campus, §§6-60-801 to 6-60-807.

SENIOR CITIZENS.**Colleges and universities.**

- Waiver of general student fee charges, §6-60-204.

SERVICE OF NOTICE, PROCESS AND OTHER PAPERS.**Colleges and universities.**

- Improvement districts.
 - Assessments.
 - Liens, actions to enforce, §6-71-123.
 - Constructive service, §6-71-124.

Constructive service.

- Colleges and universities.
 - Improvement districts.
 - Assessment liens.
 - Actions to enforce, §6-71-124.

University of Arkansas.

- Board of trustees.
 - Removal of members.
 - Charges brought against members, §§6-64-204, 6-64-205.

SEX OFFENSES.**Colleges and universities.**

- Sexual assault action plan to address prevention of sexual assault, §6-60-111.

SEXUAL ASSAULT.**Colleges and universities.**

- Sexual assault action plan to address prevention of sexual assault, §6-60-111.

SICK LEAVE.**University and college employees.**

- Catastrophic leave bank program, §§6-63-601, 6-63-602.

SICKLE CELL ANEMIA.**University of Arkansas for medical sciences.**

- Adult sickle cell clinic, §6-64-419.
- Adult sickle disease program, §6-64-420.

SIGNATURES.**Technical or community college capital improvement bonds, §6-61-1006.****SIGN LANGUAGE.****Colleges and universities.**

- American sign language as foreign language, §6-61-125.

SIGNS.**Colleges and universities.**

Clean air on campus.

Prohibition of smoking.

Notice by means of "no smoking" signs, §6-60-805.

SMOKING.**Colleges and universities.**

Clean air on campus, §§6-60-801 to 6-60-807.

SOCIAL MEDIA.**Colleges and universities.**

Social media accounts of prospective or current employees or students.

Restrictions on use, §6-60-104.

SOCIAL SECURITY.**Colleges and universities.**

Restrictions on use of social security number, §6-61-128.

SOUTH ARKANSAS COMMUNITY COLLEGE.**Arkansas heavy equipment operator training academy.**

Establishment of satellite center, §§6-61-531 to 6-61-533.

Heavy equipment operator training academy, §§6-61-531 to 6-61-533.**Housing allowance for president, §6-61-525.****SOUTHEAST ARKANSAS COLLEGE.****Priorities, §6-61-534.****SOUTHERN ARKANSAS****UNIVERSITY, §§6-65-401 to 6-65-413.****Appropriations, §6-65-408.****Arkansas environmental training academy, §6-65-411.****Board of trustees.**

Appeals.

Removal of members, §6-65-401.

Appointment, §6-65-401.

Acceptance of appointment, §6-65-401.

Certificate of appointment, §6-65-401.

Composition, §6-65-401.

Disqualification of certain officials, §6-65-401.

Duties.

Generally, §6-65-402.

El Dorado branch.

Powers and duties as to, §6-65-406.

Filling vacancies, §6-65-401.

Oaths, §6-65-401.

Penalty for violation, §6-65-401.

SOUTHERN ARKANSAS**UNIVERSITY —Cont'd****Board of trustees —Cont'd**

Powers.

Generally, §6-65-402.

Qualifications, §6-65-401.

Removal of members, §6-65-401.

SAU Tech.

Powers and duties, §6-65-404.

Terms of members, §6-65-401.

Vacancies.

Filling, §6-65-401.

El Dorado Branch, §6-65-406.

Advisory committee, §6-65-407.

Appointment of members, §6-65-407.

Composition, §6-65-407.

Duties, §6-65-407.

Expenses of members, §6-65-407.

Terms of members, §6-65-407.

Authorized, §6-65-406.

Chancellor.

Housing allowance, §6-65-410.

Housing allowance.

Chancellor of branch, §6-65-410.

Eminent domain, §6-65-403.

Action brought in name of state, §6-65-403.

Appeals, §6-65-403.

Board of trustees.

Resolution, §6-65-403.

Prosecuting attorneys.

Duty, §6-65-403.

Environmental training academy,

§6-65-411.

SAU Tech.

Environmental control center.

Renamed to Arkansas environmental training academy, §6-65-411.

Fire training academy.

Transfer of appropriations, §6-65-412.

Housing allowance for chancellor, §6-65-409.

Operation as technical division of Arkansas University, §6-65-404.

University of Arkansas.

Division of agriculture, §§6-64-701 to 6-64-718.

Veterinary medicine, school of,

§6-65-413.

SPORTS.**Colleges and universities.**

Athletic programs, §§6-62-801 to 6-62-807.

STAR-SPANGLED BANNER ACT.

Playing of national anthem at schools and school-sanctioned sporting events, §6-60-116.

STATE POLICE.

Colleges and universities.

Tuition reduction, §6-60-213.

STATE TEACHER EDUCATION

PROGRAM, §§6-81-1601 to 6-81-1606.

STATE TECHNICAL INSTITUTE,

§§6-65-217, 6-65-220.

STATUTE OF LIMITATIONS.

Colleges and universities.

Forming open and robust university minds (FORUM) act.

Remedies for violations, §6-60-1010.

Forming open and robust university minds (FORUM) act.

Remedies for violations, §6-60-1010.

University of Arkansas.

Revolving loan fund.

Defenses invalid, §6-81-407.

STUDENT FINANCIAL AID.

Academic support scholarship,

§6-82-108.

Anti-stacking provision, §6-80-105.

Arkansas student loan board.

Abolished, §6-81-202.

Audits.

Guarantee foundation.

Annual audit, §6-81-206.

Bonds, surety.

Disbursing officer, §6-81-203.

Guarantee foundation.

Disbursing officer, §6-81-203.

Cost of attendance, aid not to exceed, §6-80-105.

Criminal conviction, effect on eligibility, §6-82-107.

Disbursing officer.

Bonds, surety, §6-81-203.

Electronic transcripts to process application, §6-80-107.

Essays required for institutional scholarships.

Retention by institution, §6-80-108.

Guarantee foundation.

Administration of student loan provisions of federal laws, §6-81-201.

Audit.

Annual audit, §6-81-206.

Disbursing officer, §6-81-203.

Funds.

Administration of funds, §6-81-202.

STUDENT FINANCIAL AID —Cont'd

Guarantee foundation —Cont'd

Funds —Cont'd

Audits.

Annual audit, §6-81-206.

Use, §6-81-204.

Securities.

Sale, §6-81-205.

Use, §6-81-204.

Transfer of student loan fund to guarantee foundation, §6-81-202.

Higher education consumer guide, §6-61-1703.

Information to be made available by division of higher education, §§6-60-1301 to 6-60-1305.

Nursing student loan program, §§6-81-1401 to 6-81-1412.

Osteopathic rural medical practice student loans and scholarships, §§6-81-1801 to 6-81-1817.

Professional schools.

Tuition assistance for certain schools, §6-81-1101.

Repayment of tuition paid by state, §§6-81-1103, 6-81-1104.

Selective service act.

Compliance with required, §6-80-102.

Selective service registration, §6-80-104.

Stacking of scholarships, §6-80-105.

Teacher candidate loan forgiveness program, §§6-81-1701 to 6-81-1706.

Teacher education program, §§6-81-1601 to 6-81-1606.

Transcripts.

Electronic transcripts to process application, §6-80-107.

United States.

Guarantee foundation.

Administration of student loan provisions of federal laws, §6-81-201.

Veterinary medicine students.

Loan repayment assistance program, §§6-81-1105, 6-81-1106.

STUDENT IDENTIFICATION CARDS.

Social security number.

Use prohibited, §6-61-126.

SUICIDE.

Colleges and universities.

Mental health and suicide prevention services.

Information to be provided to students, §6-60-112.

SUPREME COURT OF ARKANSAS.**Colleges and universities.**

Improvement districts.

Assessments.

Actions to enforce lien.

Appeals to supreme court,
§6-71-136.**T****TAXATION.****Brighter future fund plan act,**

§§6-84-101 to 6-84-114.

Colleges and universities.Higher education technology and
facility improvement.

Tax exemption of bonds, §6-62-1117.

Trust conveyances to state for higher
learning institutions.

Exemption from tax, §6-62-506.

Community colleges.

Districts.

Ad valorem taxes, §6-61-517.

Reduction or repeal, §6-61-519.

General operations.

Millage taxes, §6-61-602.

Millage tax, §6-61-503.

Tuition.

Brighter future fund plan act,

§§6-84-101 to 6-84-114.

University of Arkansas.

Legal education fund.

Bond issues.

Exemption from tax, §6-64-614.

TEACHER EDUCATION PROGRAM,

§§6-81-1601 to 6-81-1606.

TEACHERS.**Agricultural colleges.**

Districts.

Schools.

Compensation, §6-65-107.

Free transportation to faculty
members, §6-65-108.Graduates only to be employed as
faculty.

Penalty, §6-65-107.

**Alternative educator preparation
programs.**Eligibility for state teacher education
program, §6-81-1605.Loan repayments under state teacher
education program, §6-81-1606.**Colleges and universities.**

Religious clothing.

Authorization to act, §6-63-101.

TEACHERS —Cont'd**Critical needs minority teacher****scholarship program, §§6-82-1501
to 6-82-1506.**

Administration, §6-82-1505.

Committee, §6-82-1506.

Eligibility for scholarship, §6-82-1503.

Rules, §6-82-1505.

Service requirement, §6-82-1504.

Definitions.Dual licensure incentive program,
§6-81-607.**Discrimination.**

Teacher opportunity program.

Prohibited, §6-81-606.

Dual licensure incentive program.

Administration, §6-81-608.

Creation, §6-81-608.

Definitions, §6-81-607.

Funding, §6-81-609.

Purpose, §6-81-608.

Reimbursements, §6-81-609.

**Education faculty involvement
program.**

Eligibility to participate, §6-63-502.

Participation in program, §6-63-502.

**Geographical critical needs minority
teacher scholarship program,**

§§6-82-1501 to 6-82-1506.

**Highly qualified professional and
teacher act, §6-63-105.****Licenses.**Dual licensure incentive program,
§§6-81-607 to 6-81-609.University professor or assistant
professor.Highly qualified professional and
teacher act, §6-63-105.**Loans.**Teacher candidate loan forgiveness
program, §§6-81-1701 to
6-81-1706.**Recruitment.**University assisted teacher
recruitment and retention grant
program, §6-81-1301.**Rules.**

Teacher opportunity program.

Division of higher education,
§6-81-603.**Scholarships.**Critical needs minority teacher
scholarship program, §§6-82-1501
to 6-82-1506.High-needs subject areas, teacher
scholarships, §6-82-1901.University assisted teacher
recruitment and retention grant
program, §6-81-1301.

TEACHERS —Cont'd**Shortages.**

Teacher education program.

Grounds for eligibility, §6-81-1605.

Purposes of program, §6-81-1603.

State teacher education program,

§§6-81-1601 to 6-81-1606.

Student loans.

Teacher candidate loan forgiveness program, §§6-81-1701 to 6-81-1706.

Teacher candidate loan forgiveness program, §§6-81-1701 to 6-81-1706.

Administration of program, §6-81-1701.

Amount of loan, §6-81-1703.

Deferral of repayment requirements, §6-81-1705.

Duration of loan, §6-81-1703.

Eligibility for loan, §6-81-1702.

Established, §6-81-1701.

Funding for loans, §6-81-1702.

Repayment, §6-81-1705.

Rulemaking to implement provisions, §6-81-1705.

Terms of loan, §6-81-1703.

Written loan contract for repayment, §6-81-1704.

Teacher education program,

§§6-81-1601 to 6-81-1606.

Administration, §6-81-1604.

Alternative educator preparation program, teachers who have completed, §§6-81-1605, 6-81-1606.

Amount of loan, §6-81-1606.

Definitions, §6-81-1602.

Duration of loan, §6-81-1606.

Eligibility, §6-81-1605.

Purpose of program, §6-81-1603.

Shortages.

Grounds for eligibility, §6-81-1605.

Purposes of program, §6-81-1603.

Short title of provisions, §6-81-1601.

Teacher opportunity program.

Administration of program, §6-81-603.

Conditions for loans, §6-81-604.

Creation of program, §6-81-602.

Discrimination.

Prohibited, §6-81-606.

Division of higher education.

Powers, §6-81-603.

Eligibility for loans, §6-81-604.

Establishment of program, §6-81-602.

Legislative purpose, §6-81-601.

Priorities, §6-81-605.

Purpose of act, §6-81-601.

Reimbursements, §6-81-605.

TEACHERS —Cont'd**Teacher opportunity program**

—Cont'd

Repayment of loans, §6-81-606.

Failure to repay, §6-81-606.

Rules.

Division of higher education, §6-81-603.

University assisted teacher recruitment and retention grant program, §6-81-1301.**TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS,** §§6-61-1001 to 6-61-1014.**Authority of board of trustees.**

Financing project, §6-61-1012.

Issuance of bonds, §§6-61-1003, 6-61-1011.

Refunding bonds, §6-61-1013.

Use of available funds, §6-61-1014.

Authorizing resolution, §6-61-1004.

Additional terms, §6-61-1005.

Bond issues.

Board of trustees, §§6-61-1003, 6-61-1011.

State board of higher education, §6-61-1010.

Debt for which full faith and credit of state pledged.

Bonds not considered, §6-61-1009.

Definitions, §6-61-1002.**Financing project.**

Authority of board of trustees, §6-61-1012.

Interest on bonds, §6-61-1007.**Issuance of bonds.**

Authority of board of trustees, §6-61-1011.

Authorizing resolution, §§6-61-1004, 6-61-1005.

State board of higher education, §6-61-1010.

Negotiation, sale of bonds, §6-61-1008.**Personal liability of board members,** §6-61-1009.**Public sale of bonds,** §6-61-1008.**Purposes of bonds,** §6-61-1003.**Refunding bonds,** §6-61-1013.**Resolution authorizing,** §6-61-1004.

Additional terms, §6-61-1005.

Sale of bonds, §6-61-1008.**Signature on bonds,** §6-61-1006.**State board of higher education authority,** §6-61-1010.

TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS

—Cont'd

Technical college and community college capital improvement act of 1993.

Title of subchapter, §6-61-1001.

Terms of authorizing resolution, §6-61-1004.

Additional terms, §6-61-1005.

Title of subchapter.

Technical college and community
college capital improvement act of
1993, §6-61-1001.

Use of available funds, §6-61-1014.

TECHNICAL COLLEGES.

Bond issues for capital improvements.

Generally, §§6-61-1001 to 6-61-1014.

TECHNOLOGY.

High-Tech scholarship program, §§6-82-401 to 6-82-410.

TEXTBOOKS.

Colleges and universities.

Textbooks and course materials,
§§6-60-601 to 6-60-605.

TRANSPORTATION.

University of Arkansas.

Research and education program.
Funding, §6-64-1010.

TREASURER OF STATE.

University of Central Arkansas.

Funds.

Duties, §6-67-111.

TRUSTS AND TRUSTEES.

Colleges and universities.

Board of higher education.

Administration of trusts and
endowments, §6-61-213.

Conveyances to state for higher
learning institutions.

Administration by board of
institutions, §6-62-503.

Authorized, §6-62-502.

Definitions, §6-62-501.

Discharge of encumbrances only
from funds of property,
§6-62-504.

Fee simple title subject to
encumbrances, §6-62-504.

Income from property.

Deposit for benefit of institution.
Separate deposit, §6-62-507.

No charge of income against
appropriations, §6-62-507.

TRUSTS AND TRUSTEES —Cont'd

Colleges and universities —Cont'd

Conveyances to state for higher

learning institutions —Cont'd

Manner of dealing with property,
§6-62-505.

Recordation, §6-62-503.

Tax exemption, §6-62-506.

TUITION.

Brighter future fund plan act, §§6-84-101 to 6-84-114.

Colleges and universities.

Board of higher education.

Reporting on student tuition and
mandatory fees, §6-61-215.

Brighter future fund plan act,
§§6-84-101 to 6-84-114.

Dental students in out-of-state
professional programs.

Repayment of tuition by state of
Arkansas, §§6-81-1103,
6-81-1104.

Higher education consumer guide,
§6-61-1703.

Information to be made available by
division of higher education,
§§6-60-1301 to 6-60-1305.

Military affairs.

In-state tuition for veterans,
military personnel and
dependents, §6-60-205.

Out-of-state tuition, §6-82-103.

Prisoners of war or persons missing or
killed in action.

Free tuition and fees for dependents.

Allowance, §6-82-601.

Definitions, §6-82-601.

Rules, §6-82-601.

Professional schools.

Tuition assistance for students
attending certain out of state
professional schools, §6-81-1101.

Repayment of tuition paid by
state, §§6-81-1103, 6-81-1104.

Community colleges, §6-61-523.

National guard.

Tuition assistance plan, §6-60-211.

Tuition benefits generally, §6-60-214.

Nontraditional documented

**immigrants, classification as
in-state, §6-60-215.**

University of Arkansas for medical sciences.

Medical department.

Fees, §6-64-408.

U

**UNEMPLOYMENT
COMPENSATION.****Workforce services division.**

- College graduates.
- Employment and earning outcomes for degrees and certificates at institutions of higher education and state-supported technical institutes, §6-60-105.

UNITED STATES.**Agricultural colleges.**

- Arkansas state university.
- Federal aid.
- Vouchers drawn by disbursing agent, §6-65-204.

Colleges and universities.

- Commission on coordination of higher education finance.
- Designation of commission as state agency for grant under federal act, §6-62-313.

Student loans.

- Guarantee foundation.
- Administration of student loan provisions of federal laws, §6-81-201.

University of Arkansas.

- Division of agriculture.
- Bureau of research and statistics.
- Collaboration with United States bureau, §6-64-714.
- Contracts with United States, §6-64-713.
- Federal land grant of 1862.
- Acceptance, §6-60-101.
- Conditions of grant.
- Acceptance of conditions, §6-60-101.

**UNIVERSITY ASSISTED TEACHER
RECRUITMENT AND
RETENTION GRANT
PROGRAM, §6-81-1301.****UNIVERSITY OF ARKANSAS.****Accounts and accounting.**

- Applicability of act.
- Funds excepted from applicability, §6-64-1009.
- Claims.
- Allowance in payment to be listed, §6-64-1008.
- Dealers.
- Itemized account to be filed.
- Affidavit attached, §6-64-1006.
- Duplicate accounts to be filed, §6-64-1006.

UNIVERSITY OF ARKANSAS

—Cont'd

Accounts and accounting —Cont'd

- Employees to file monthly accounts, §6-64-1005.
- Funds excepted from applicability of act, §6-64-1009.
- Itemizing statement for allowance and payment, §6-64-1007.
- Penalties, §6-64-1001.

Affidavits.

- Accounts and accounting.
- Dealers to file itemized accounts, §6-64-1006.
- Attachment of affidavits, §6-64-1006.

Agricultural department.

- Diagnostic laboratory services, §6-64-1013.

Agriculture, division of.

- Bureau of research and statistics.
- Collaboration with United States bureau, §6-64-714.
- Contracts with United States.
- Authority to make contracts, §6-64-713.
- Publication.
- Use of material and information in publications, §6-64-715.
- Establishment of offices, facilities, etc, §6-64-717.
- Federal aid.
- Acceptance, §6-64-701.
- Includes agricultural experiment station and cooperative extension service, §6-64-716.
- Pine Tree research station, preservation and protection, §6-64-718.
- Purpose of cooperative extension service, §6-64-716.
- Purpose of experiment station, §6-64-716.
- Scope of division, §6-64-716.

Appropriations.

- Application of funds for specified purposes only, §6-64-1002.

**Area health education center
programs.**

- Periodic progress reports, §6-64-414.

Athletic department.

- Additional compensation, §6-64-1012.

Basketball.

- Radio broadcasts, §6-64-104.

Board of trustees.

- Appointment of members, §6-64-201.
- Compensation of trustees, §6-64-201.
- Composition, §6-64-201.

UNIVERSITY OF ARKANSAS

—Cont'd

Board of trustees —Cont'd

Course of study, §6-64-101.

Expenditures.

Reports, §6-64-216.

Expenses of trustees, §6-64-201.

Faculty.

Leaves of absence.

Determination by board,
§6-64-209.

Meetings, §6-64-201.

President of university, attendance
at meetings, §6-64-207.

Nepotism.

Employment of relatives prohibited.

Exceptions, §6-64-214.

Warrants.

Liability for drawing warrants in
favor of relatives, §6-64-214.

Number of members, §6-64-201.

Powers, §6-64-202.

President of university.

Attendance at meetings, §6-64-207.

Real property.

Donated land.

Execution of deed, §6-64-218.

Power to sell, §6-64-218.

Removal of members, §6-64-201.

Charges brought against members.

Findings of examinations and
inquiries.

Reduced to writing, §6-64-206.

Procedure, §6-64-204.

Service of process, §§6-64-204,
6-64-205.

Written findings, §6-64-206.

Rules.

Government of university,
§6-64-203.

Status.

Body politic and corporate,
§6-64-202.

Warrants for the payment of money.

Nepotism.

Liability for drawing warrants in
favor of relatives, §6-64-214.**Bond issues.**Legal education fund, §§6-64-607 to
6-64-619.**Bonds, surety.**

Military department.

Giving bond to United States to
secure use of arms for military
department, §6-64-1003.

Execution by surety company.

Amount, §6-64-1003.

UNIVERSITY OF ARKANSAS

—Cont'd

Chancellor for medical sciences.

Housing allowance.

Sale of state-owned home for
chancellor.

Use of proceeds, §6-64-110.

Chaplain.

Housing allowance, §6-64-109.

Construction.

Legal education fund.

Facilities for legal education,
§6-64-620.

Technology institute.

Improvement and construction of
property authorized, §6-64-805.**Construction and interpretation.**

Law school, §6-64-601.

Contracts.

Division of agriculture.

Bureau of research and statistics.

Authority to make contract with
United States government,
§6-64-713.Research, education and technical
extension.Authority to contract to perform
research services, §6-64-905.Authorization of contracts,
§6-64-908.

Technology institute.

Research contracts, §6-64-804.

Cooperative extension services.Market news reporting program,
§6-64-103.**Costs.**

Legal education fund.

Levy of additional costs for,
§§6-64-604 to 6-64-606.**Course of study.**

Board of trustees, §6-64-101.

Contents, §6-64-101.

Enumeration, §6-64-101.

Technology institute.

Offerings for courses, §6-64-802.

Dentists.

School of dental hygiene.

Established, §6-64-411.

Distance learning.

EUniversity, §6-64-305.

Employees.

Accounts and accounting.

Monthly accounts, §6-64-1005.

Salaries and compensation, §6-64-210.

Evening law school division,

§6-64-621.

EUniversity, online learning, §6-64-305.

UNIVERSITY OF ARKANSAS

—Cont'd

Faculty.

- Assistants, §6-64-208.
- Athletic department.
 - Additional compensation, §6-64-1012.
- Board of trustees.
 - Leaves of absence.
 - Determination by board, §6-64-209.
- Compensation, §6-64-208.
- Leaves of absence, §6-64-209.

Family practice department,
§6-64-409.**Federal aid.**

- Division of agriculture.
- Acceptance of federal aid, §6-64-701.

Federal land grant of 1862.

- Acceptance, §6-60-101.
- Conditions imposed by grant.
 - Acceptance, §6-60-101.

Financial assistance.

- Applications.
- Records and reports, §6-80-101.

Football.

- Radio broadcasts, §6-64-104.

Fort Smith campus.

- Employment models, §6-61-1106.
- Model programs, §6-61-1105.

Funds.

- Revolving loan fund, §6-81-401.
 - Amount of loans.
 - Maximum amount, §6-81-405.
 - Applications for loans.
 - Committee to accept or reject applications, §6-81-403.
 - Committee to accept or reject applications, §6-81-403.
 - Creation, §6-81-401.
 - Defenses.
 - Invalid defenses, §6-81-407.
 - Disbursement of fund, §6-81-409.
 - Eligibility as borrowers, §6-81-402.
 - Interest on loans, §6-81-404.
 - Adding to revolving perpetual fund, §6-81-408.
 - Limitation of actions.
 - Defenses invalid, §6-81-407.
 - Maximum loan amount, §6-81-405.
 - Promissory notes.
 - Persons securing loans, §6-81-404.
 - Purpose, §6-81-401.
 - Repayment of loans.
 - Rules, §6-81-406.
 - Rules.
 - Repayment of loans, §6-81-406.

UNIVERSITY OF ARKANSAS

—Cont'd

Gifts.

- Research, education and technical extension.
- Research services.
 - Acceptance of grants and gifts, §6-64-905.

Higher education expenditure restrictions, §§6-63-301 to 6-63-316.**Housing allowances.**

- Chancellor for medical sciences.
- Sale of state-owned home.
 - Use of proceeds, §6-64-110.
- Chaplain, §6-64-109.

Interest.

- Revolving loan fund, §6-81-404.
 - Adding of interest to revolving perpetual fund, §6-81-408.

Investments.

- Legal education fund.
- Legal investments, §6-64-615.
- Retirement or pension system funds, §6-64-615.

Law school.

- Bond issues.
 - Legal education fund, §§6-64-607 to 6-64-619.
- Construction and interpretation, §6-64-601.
- Established, §6-64-602.
- Evening law school division, §6-64-621.
- Exclusive nature of provisions, §6-64-601.
- Name, §6-64-602.

Leases.

- Authorization of leases, §6-64-908.

Legal education fund.

- Bond issues.
 - Agreements, §6-64-613.
 - Authorized, §6-64-607.
 - Change in costs for payments of outstanding bonds, §6-64-618.
 - Construction fund, §6-64-616.
 - Contract with holders and owner, §6-64-613.
 - Deposit of proceeds from bonds, §6-64-616.
 - Enforcement of agreements, §6-64-613.
 - Excess costs.
 - Use, §6-64-617.
 - Execution of bonds, §6-64-610.
 - Interest, §6-64-609.
 - Investments.
 - Legal investments, §6-64-615.

UNIVERSITY OF ARKANSAS

—Cont'd

Legal education fund —Cont'd

Bond issues —Cont'd

Investments —Cont'd

Pension or retirement system funds.

Authorized investments,
§6-64-615.

Liability, §6-64-611.

Negotiable instruments, §6-64-609.

Outstanding bonds.

Change in costs for payments,
§6-64-618.

Pledge of costs levied, §6-64-612.

Purposes, §6-64-607.

Refunding bonds.

Sale, §6-64-619.

Resolution authorizing, §6-64-608.

Retirement or pension systems.

Investment of funds.

Authorized investments,
§6-64-615.

Seal, §6-64-610.

Security.

Contract with holders and owner,
§6-64-613.Not secured by mortgage or lien
on land or buildings,
§6-64-611.

Pledge of costs levied, §6-64-612.

Trust indenture, §6-64-608.

Tax exemption, §6-64-614.

Terms and conditions of bonds,
§6-64-609.

Trust indenture, §6-64-608.

Cash funds, §6-64-605.

Construction of legal education
facilities, §6-64-620.

Funds.

Deposit of proceeds from bonds,
§6-64-616.

Costs.

Levy of additional costs for.

Bond issues.

Pledge of costs levied, §6-64-612.

Use of excess funds, §6-64-617.

Cash funds, §6-64-605.

Use and priorities of funds
collected, §6-64-606.

Tax exemption, §6-64-614.

Generally, §6-64-604.

Investments.

Retirement or pension system funds,
§6-64-615.

Priorities, §6-64-606.

Professionals.

Employment, §6-64-620.

UNIVERSITY OF ARKANSAS

—Cont'd

Legal education fund —Cont'd

Refunding bonds.

Sale, §6-64-619.

Use, §6-64-606.

Library.Research, education and technical
extension.Computer and technical library
facilities authorized, §6-64-904.**Limitation of actions.**

Revolving loan fund.

Defenses invalid, §6-81-407.

Market news reporting program,

§6-64-103.

Medical college.North Central area health education
center, §6-64-416.**Military department.**

Bonds, surety.

Giving bond to United States to
secure use of arms for military
department, §6-64-1003.Execution of bond by surety
company.

Amount, §6-64-1003.

**Minority scholarship or grant
programs.**

Annual review, §6-82-102.

Monticello.

Boards or commissions.

Employees may not serve as voting
members, §6-64-106.Employees as ex officio members only
of boards or commissions,
§6-64-106.University of Arkansas at Monticello.
Established, §6-64-302.**Nepotism.**

Board of trustees.

Employment of relatives.

Exceptions, §6-64-214.

Liability for drawing warrants in
favor of relatives, §6-64-214.**Nurses.**

College of nursing.

Improvements.

Use of funds, §6-64-417.

Online university.

Eversity, §6-64-305.

Penalties.

Accounts and accounting, §6-64-1001.

Pharmacists and pharmacies.

School of pharmacy.

Applicability of laws, §6-64-415.

Authorized, §6-64-410.

UNIVERSITY OF ARKANSAS

—Cont'd

Pharmacists and pharmacies

—Cont'd

School of pharmacy —Cont'd
Improvements.

Use of funds, §6-64-417.

Pine Bluff campus.

University of Arkansas at Pine Bluff.

Established, §6-64-303.

Programs, §6-64-303.

Publications.

Division of agriculture.

Bureau of research and statistics.

Use of material and information
in publications, §6-64-715.

Radio.

Basketball games, §6-64-104.

Football games, §6-64-104.

Real property.

Donated land.

Execution of deed, §6-64-218.

Power to sell, §6-64-218.

Records.

Financial assistance.

Applications, §6-80-101.

Reports.

Expenditures, §6-64-216.

Financial assistance.

Applications, §6-80-101.

Radio broadcasting of football and
basketball games, §6-64-104.

Research, education and technical extension.

Assistance and guidance for research
to government, education and
business interest, §6-64-906.

Center to offer advanced instruction
and engage in research and
educational services, §6-64-903.

Computer and technical library
facilities.

Authorized, §6-64-904.

Contracts.

Authority to contract to perform
research services, §6-64-905.

Authorized, §6-64-908.

Divisions of center, §6-64-901.

Employees.

Service on boards or commissions,
§6-64-106.

Establishment.

Authorized, §6-64-901.

Expansion and reorganization to be
from surplus financial resources.

Authorized use of resources,
§6-64-907.

UNIVERSITY OF ARKANSAS

—Cont'd

Research, education and technical extension —Cont'd

Graduate institute of technology,
§6-64-902.

Guidance and assistance for research
to government, education and
business interests, §6-64-906.

Industrial research and extension
center, §6-64-902.

Leases authorized, §6-64-908.

Library.

Computer and technical library
facilities authorized, §6-64-904.

Operation.

Authorized, §6-64-901.

Research and educational services.

Center to offer advanced instruction
and engage in research and
educational services, §6-64-903.

Contracting to perform, §6-64-905.

Grants and gifts.

Acceptance, §6-64-905.

Surplus financial resources.

Extension and reorganization from
surplus resources.

Authorized use of resources,
§6-64-907.

Rules.

Government of university, §6-64-203.

Revolving loan fund, §6-81-406.

Scholarships.

Minority scholarship or grant
program.

Annual review by state board of
higher education, §6-82-102.

Service of process.

Board of trustees.

Removal of members.

Charges brought against
members, §§6-64-204,
6-64-205.

State Medical center.

General provisions, §§6-64-401 to
6-64-416.

Taxation.

Legal education fund.

Bond issues.

Exemption from tax, §6-64-614.

Teachers.

Salaries, §6-64-210.

Technology institute.

Construction and improvement of
property authorized, §6-64-805.

Contributions.

Acceptance, §6-64-804.

UNIVERSITY OF ARKANSAS

—Cont'd

Technology institute —Cont'd

Course of study.

Offerings for courses, §6-64-802.

Establishment.

Authorized, §6-64-801.

Funds, §6-64-803.

Use of funds, §6-64-803.

Grants in aid, §6-64-804.

Operation.

Authorized, §6-64-801.

Research contracts, §6-64-804.

Transportation.

Research and education program.

Funding, §6-64-1010.

United States.

Division of agriculture.

Bureau of research and statistics.

Collaboration with United States
bureau, §6-64-714.Contracts with United States,
§6-64-713.

Federal land grant of 1862.

Acceptance, §6-60-101.

Conditions imposed by grant.

Acceptance of conditions,
§6-60-101.**Warrants for the payment of money.**

Board of trustees.

Nepotism.

Liability for drawing warrants in
favor of relatives, §6-64-214.**UNIVERSITY OF ARKANSAS AT
LITTLE ROCK.****College of information science and
engineering, §§6-64-1101 to**

6-64-1103.

Creation, §6-64-1102.

Funding, §6-64-1102.

Legislative findings, §6-64-1101.

Criminal justice institute.

Police corps program.

Administration, §§6-82-1204 to
6-82-1206.**Established, §6-64-301.****Operation, §6-64-301.****Research, education and technical
extension.**

Little Rock graduate center, §6-64-902.

**UNIVERSITY OF ARKANSAS FOR
MEDICAL SCIENCES.****Admissions, §6-64-406.**Allocation by congressional districts,
state at-large and nonresidents.

Selection, §6-64-406.

**UNIVERSITY OF ARKANSAS FOR
MEDICAL SCIENCES —Cont'd****Admissions —Cont'd**

Medical admissions board, §6-64-405.

Appointment of members, §6-64-405.

Compensation of members,
§6-64-405.

Composition, §6-64-405.

Number of members, §6-64-405.

Rules, §6-64-405.

Publication of policies and procedures,
§6-64-406.

Transfer students.

Criteria for considering and
approving, §6-64-407.**Adult sickle cell clinic, §6-64-419.****Adult sickle disease program,
§6-64-420.****Alcoholism and drug abuse
prevention.**

Chair on, §6-64-412.

Allowances.

Special allowances, §6-64-413.

Alternates.Rural medical practice loans,
§6-81-718.**Applicability of laws, §6-64-415.****Board of trustees.**Control and management by board,
§6-64-402.**College of public health.**

Collaboration, §6-64-418.

Cost of maintenance, §6-64-408.**Dental education center, §6-64-421.****Dispute resolution.**Rural medical practice student loans
and scholarships.

Decisions of board, §6-81-714.

**Family practice department,
§6-64-409.****Fees.**

Collection and disposition, §6-64-408.

Tuition and matriculation, §6-64-408.

**Maintenance as part of university,
§6-64-401.**

Cost of maintenance, §6-64-403.

Name, §6-64-401.**North central area health education
center.**

Establishment, §6-64-416.

Nurses.Advanced practice nurses at area
health education centers,
§6-64-422.**Recruitment of faculty and staff
members.**

Special allowances, §6-64-413.

**UNIVERSITY OF ARKANSAS FOR
MEDICAL SCIENCES —Cont'd****Reports.**

Progress reports on programs,
§6-64-413.

**Rural medical practice student
loans and scholarships.**

Actions pending, noninterference with,
§6-81-721.

Amount of loans.

Maximum amount, §6-81-707.

Applications.

Investigation, §6-81-704.

Qualifications of students,
§6-81-703.

Board.

Compensation, §6-81-702.

Composition, §6-81-702.

Duties, §6-81-702.

Established, §6-81-702.

Powers, §6-81-702.

Reports.

Contents, §6-81-711.

Distribution, §6-81-711.

Travel expenses, §6-81-702.

Community match loan and
scholarship program.

Administration of program,
§6-81-715.

Conditions, §6-81-716.

Contract, §6-81-716.

Damages, §6-81-710.

Effect of sunset amendments,
§6-81-722.

Grant of incentives, §6-81-715.

Obligations, §6-81-716.

Tracking loan contract compliance,
§6-81-719.

Contracts.

Loan contracts, §6-81-708.

Damages.

Funding of loans, §6-81-710.

Definitions, §6-81-701.

Dispute resolution, §6-81-714.

Funding of loans, §6-81-710.

Initial loans.

Requirements, §6-81-706.

Investigation after application,
§6-81-704.

Legislative declaration.

Purpose of loans, §6-81-705.

Maximum amount of loans, §6-81-707.

Medical school alternates, §6-81-718.

Obligations and conditions, §6-81-708.

Osteopathic rural medical practice
student loans and scholarships,
§§6-81-1801 to 6-81-1817.

**UNIVERSITY OF ARKANSAS FOR
MEDICAL SCIENCES —Cont'd****Rural medical practice student
loans and scholarships —Cont'd**

Payment for loans drawn against
funds held in trust, §6-81-710.

Program administrator, §6-81-720.

Publication of policies and procedures,
§6-64-406.

Purpose of loans, §6-81-705.

Qualifications of students, §6-81-703.

Renewal loans.

Requirements, §6-81-706.

Sunset clause, §6-81-722.

Trust funds.

Payment for loans drawn against
funds held in trust, §6-81-710.

Scholarships, §6-64-408.

Sickle cell disease.

Adult sickle cell clinic, §6-64-419.

Adult sickle disease program,
§6-64-420.

Special allowances, §6-64-413.

State medical center.

Legislative declaration, §6-64-501.

Medical indigents.

Billings to patients, §6-64-508.

Certification procedure, §6-64-504.

Collections from patients, §6-64-508.

Determination of status, §6-64-503.

Other patients.

Admission not affected by
provisions, §6-64-502.

Quota of patients from counties and
municipalities, §§6-64-505 to
6-64-507.

Status as.

Determination, §6-64-503.

Paying patients, §6-64-509.

Admissions, §§6-64-502, 6-64-509.

Policies.

Review and development of policies
and practices, §6-64-404.

Purpose of provisions, §6-64-501.

Quota of patients from counties and
municipalities, §6-64-505.

Failure to pay.

Withholding state funds,
§6-64-507.

Patients not charged against quotas,
§6-64-506.

Statement mailed to county or
municipality, §6-64-507.

Review and development of policies
and practices, §6-64-404.

Students.

Applicability of laws, §6-64-415.

UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES —Cont'd

Tuition.

Fees, §6-64-408.

UNIVERSITY OF CENTRAL ARKANSAS.

Accounts and accounting.

Board of trustees, §6-67-111.

Appeals.

Board of trustees.

Removal of members, §6-67-102.

Board of trustees.

Accounts and accounting, §6-67-111.

Appeals.

Removal of members, §6-67-102.

Appointment of members, §6-67-102.

Composition, §6-67-102.

Course of study.

Prescribing, §6-67-105.

Creation, §6-67-102.

Duties, §6-67-103.

Expenditures.

Limitation, §6-67-112.

Expenses of members, §6-67-102.

Funds.

Duties of treasurer of state,
§6-67-111.

Number of members, §6-67-102.

Officers, §6-67-102.

Powers, §6-67-103.

Property.

Powers as to, §6-67-103.

Qualifications of members, §6-67-102.

Quorum, §6-67-102.

Removal of members, §6-67-102.

Reports.

Biennial report to general assembly,
§6-67-114.

Rules, §6-67-103.

Model school, §6-67-106.

Terms of members, §6-67-102.

Vacancies, §6-67-102.

Courses of study, §6-67-105.

Employees.

Payroll deductions.

University of Central Arkansas
Foundation, Inc.

Contributions to, §6-67-113.

Established, §6-67-101.

Expenditures.

Limitation.

Duty of board of trustees, §6-67-112.

Federal aid.

Participation in federal and state aid.

Authorized, §6-67-104.

Foundation.

Contributions to.

Payroll deductions, §6-67-113.

UNIVERSITY OF CENTRAL ARKANSAS —Cont'd

Funds.

Board of trustees.

Duties of treasurer of state,
§6-67-111.

Instructors.

Selection, §6-67-107.

Model school, §6-67-106.

Property.

Board of trustees.

Powers as to property, §6-67-102.

Pupils.

Selection, §6-67-107.

Purpose, §6-67-101.

Reports.

Board of trustees.

Biennial report to general assembly,
§6-67-114.

Rules.

Board of trustees, §6-67-103.

Model school, §6-67-106.

State aid.

Participation in federal and state aid.

Authorized, §6-67-104.

Treasurer of state.

Funds.

Duties, §6-67-111.

V

VETERANS.

Colleges and universities.

Tuition.

In-state tuition for veterans,
military personnel and
dependents, §6-60-205.

VETERINARIANS.

Education.

Student loan repayment assistance
program, §§6-81-1105, 6-81-1106.

Food supply veterinary medicine.

Student loan repayment assistance
program, §§6-81-1105, 6-81-1106.

Loans.

Student loan repayment assistance
program, §§6-81-1105, 6-81-1106.

Southern Arkansas university.

School of veterinary medicine,
§6-65-413.

Student loan repayment assistance program, §§6-81-1105, 6-81-1106.

Tuition assistance for residents attending out of state veterinary schools, §6-81-1101.

VETERINARY MEDICAL SCHOOLS.

Tuition assistance for residents attending out of state schools,
§6-81-1101.

VOCATIONAL EDUCATION AND REHABILITATION.**Postsecondary vocational and technical education.**

Housing allowance for college president, §6-61-525.

Presidents of institutions.

Housing allowance, §6-61-525.

Technical colleges.

Bond issues for capital improvements generally,
§§6-61-1001 to 6-61-1014.

W**WAIVER.****Colleges and universities.**

General student fee charges waived for persons over sixty, §6-60-204.

WARRANTS FOR THE PAYMENT OF MONEY.**Colleges and universities.**

Improvement districts.

Assessments.

Collection of assessments,
§6-71-116.

University of Arkansas.

Board of trustees.

Nepotism.

Liability for drawing warrants in favor of relatives, §6-64-214.

WATER SUPPLY AND WATERWORKS.**Colleges and universities.**

Sale of water by state institutions of higher learning.

Prohibited, §6-62-101.

Void contracts, §6-62-101.

WESTARK COMMUNITY COLLEGE.**Employment models.**

Utilization, §6-61-1106.

Model programs, §6-61-1105.**President.**

Housing allowance, §6-61-525.

Sports programs, §6-61-1108.**WHISTLEBLOWER PROTECTION.****Colleges and universities.**

Clean air on campus.

Prohibition of smoking, §6-60-804.

WORKERS' COMPENSATION.

Colleges and universities, §§6-62-1001 to 6-62-1004.

WORKFORCE INITIATIVE ACT.**Colleges and universities.**

Workforce initiative funding priorities,
§6-60-107.

Index to Title 6

A

ABC PROGRAM, §§6-45-101 to 6-45-111.

ABORTION.

Student protection act, §§6-18-2201 to 6-18-2204.

Definitions, §6-18-2202.

Enforcement of provisions, §6-18-2204.

Title of provisions, §6-18-2201.

Transactions prohibited by schools, §6-18-2203.

ABSENTEE AND EARLY VOTING.

School elections, §6-14-102.

ACADEMIC CHALLENGE

SCHOLARSHIP PROGRAM, §§6-85-201 to 6-85-221.

ACT ASSESSMENT PROGRAM,

§§6-18-1601 to 6-18-1608.

ACTIONS.

Colleges and universities.

Fairness in women's sports act.

School sports teams to be based on biological sex, §6-1-107.

Forming open and robust university minds (FORUM) act.

Remedies for violations, §6-60-1009.

Statute of limitations, §6-60-1010.

Education.

School districts.

Defense of district in legal proceeding.

Costs and expenses, §6-13-623.

School worker defense program, §§6-17-1113, 6-17-1118.

Fairness in women's sports act.

School sports teams to be based on biological sex, §6-1-107.

Forming open and robust university minds (FORUM) act.

Remedies for violations, §6-60-1009.

Statute of limitations, §6-60-1010.

School districts.

Power to sue and be sued, §6-13-102.

ADRENAL DISEASES.

Schools and education.

Adrenal insufficiency or crisis, administration of medication, §6-18-718.

ADULT EDUCATION.

Adult education charter schools, §§6-23-1001 to 6-23-1008.

Arkansas workforce challenge scholarship program, §§6-85-301 to 6-85-307.

Expenditures for adult education.

Authorized, §6-16-309.

High school equivalency diploma, testing for adults, §6-16-118.

Maximum age of person admitted to public school, §6-16-308.

ADVANCED COMMUNICATIONS AND INFORMATION TECHNOLOGY.

Distance learning demonstration projects, §§6-47-201 to 6-47-304.

Coordination, §§6-47-201 to 6-47-203.

Elementary and secondary schools, §§6-47-201, 6-47-302.

Four-year colleges, §§6-47-202, 6-47-303.

Implementation, §§6-47-301 to 6-47-304.

Intergovernmental cooperation, §6-47-304.

Public policy, §6-47-301.

Public school district and charter school distance learning program, §6-47-406.

Reporting requirements, §6-47-203.

Two-year colleges, §§6-47-202, 6-47-303.

Distance learning development project, §§6-47-401 to 6-47-406.

Credit for students assigned, §6-47-404.

Definitions, §6-47-403.

Director, powers and duties, §6-47-404.

Established, §6-47-404.

Focus areas, §6-47-404.

Funding, §6-47-404.

Purpose, §6-47-402.

Rules, §6-47-405.

Title of provisions, §6-47-401.

ADVANCED PLACEMENT AND INTERNATIONAL BACCALAUREATE DIPLOMA INCENTIVE PROGRAM, §§6-16-801 to 6-16-806.

ADVANCED PLACEMENT

COURSES, §§6-16-1201 to 6-16-1206.

Quality education act.

AP course considered as core curriculum course, §6-15-214.

ADVERTISING.**Colleges and universities.**

Private outside work using campus facilities.

Publicity and advertising to show institution and state not contractually obligated, §6-62-401.

School buses.

Authority to advertise on school buses, §6-19-129.

Competitive bids, §6-19-114.

Student online personal information protection act.

Targeted advertising prohibitions, §6-18-109.

AFFIDAVITS.**University of Arkansas.**

Accounts and accounting.

Dealers to file itemized accounts, §6-64-1006.

Attachment of affidavits, §6-64-1006.

AFFIRMATIVE ACTION PROGRAMS.

Colleges and universities, §6-63-103.

AGE.**Education.**

Maximum age of persons admitted to public schools, §6-16-308.

Minimum age for enrollment in prekindergarten, §6-18-230.

Minimum age for enrollment in public school or kindergarten, §6-18-207.

Students permitted to attend schools, §6-18-202.

Kindergarten.

Minimum age for enrollment in prekindergarten, §6-18-230.

Minimum age for enrollment in public school or kindergarten, §6-18-207.

AGRICULTURAL COLLEGES.**Arkansas state university system.**

Generally, §§6-65-201 to 6-65-226.

Arkansas Tech university.

Generally, §§6-65-301 to 6-65-305.

Districts.

Division of state into districts, §6-65-101.

AGRICULTURAL COLLEGES

—Cont'd

Districts —Cont'd**Schools.**

Admissions, §6-65-105.

Boards of trustees.

Course of study provided by trustees, §§6-65-102, 6-65-103.

Nepotism, §6-65-107.

Cooperation on research and publications, §6-65-109.

Faculty, §§6-65-107, 6-65-108.

Labor.

Student to perform labor about school, §6-65-106.

Publication and research.

Cooperation, §6-65-109.

Rental of unused facilities.

Authorized, §6-65-111.

Reports.

Contents, §6-65-112.

Same educational status, §6-65-102.

Students.

Perform labor about school, §6-65-106.

Subjects taught, §6-65-102.

Tuition, §6-65-105.

Unused facilities.

Rental.

Authorized, §6-65-111.

Status.

Same educational status in all four districts, §6-65-102.

Engineering management college.

Arkansas state university at

Jonesboro, §§6-65-206, 6-65-207.

Southern Arkansas university.

Generally, §§6-65-401 to 6-65-413.

AGRICULTURE.**4-H programs.**

Additional school absences, §6-18-220.

Equal treatment for 4-H member students, §6-18-220.

Future Farmers of America.

Compulsory attendance.

Additional absences for participation in official FFA program, §6-18-220.

Education.

Compulsory attendance.

Equal treatment for FFA member students, §6-18-220.

University of Arkansas.

Division of agriculture, §§6-64-701 to 6-64-718.

AGRICULTURE —Cont'd**Vocational education and rehabilitation.**

Contracts with vocational agriculture teachers to be on twelve month basis, §6-17-802.

AIDING AND ABETTING.

Hazing, §6-5-202.

ALCOHOLIC BEVERAGES.**Corporations.**

Educational institutions.

Sales prohibited, §6-2-113.

Education.

Sales to educational institutions.

Prohibited, §6-2-113.

University of Arkansas for medical sciences.

Medical department.

Chair on alcoholism and drug abuse prevention, §6-64-412.

ALEX'S LAW.**Asthma inhalers or auto-injectable epinephrine.**

Use by or administration to school students, §6-18-707.

ALIENS.**College tuition.**

Nontraditional documented immigrants, classification as in-state, §6-60-215.

Teachers.

Licenses for noncitizens, §6-17-430.

Tuition.

Nontraditional documented immigrants, classification as in-state, §6-60-215.

ALTERNATIVE LEARNING

ENVIRONMENTS, §§6-48-101 to 6-48-104.

AMERICAN HERITAGE**EDUCATION.****Posting of historical documents in public schools**, §6-16-122.**AMERICAN SIGN LANGUAGE.****Colleges and universities.**

Qualification as foreign language, §6-61-125.

Public schools.

Taught as modern or foreign language, §6-16-142.

ANATOMICAL GIFTS.**Education.**

Organ donor awareness education, §6-16-501.

ANNEXATION.**Education.**

Public education reorganization act, §§6-13-1601 to 6-13-1613.

Quality education act, §§6-15-201 to 6-15-216.

School districts, §§6-13-1401 to 6-13-1417.

APPEALS.**Agricultural colleges.**

Arkansas polytechnic college.

Board of trustees, removal of members, §6-65-301.

Arkansas state university system.

Board of trustees, removal of members, §6-65-201.

Southern Arkansas University.

Board of trustees, removal of members, §6-65-401.

Eminent domain, §6-65-403.

Colleges and universities.

Disciplinary actions against students.

Appeal proceedings, right to counsel, §6-60-109.

Higher education technology and facility improvement act of 2005.

Priority of appeals, §6-62-1122.

Improvement districts.

Assessments, §6-71-107.

Actions to enforce lien, §6-71-136.

Education.

Annexation and consolidation.

School districts.

Appeal of adverse decision, §6-13-1410.

Children with disabilities.

Hearings on child's status, §6-41-216.

Education service cooperatives.

Fiscal distress, §6-13-1031.

Elections.

School elections, §6-14-115.

School districts.

Quality education act.

Appeal process for failure to meet standards, §6-15-202.

Suspension or expulsion of students, §6-18-507.

Private resident and correspondence schools.

Denial or suspension of admissions representative's license, §6-51-615.

Penalties, §6-51-618.

Teachers.

Dismissal, §6-17-1510.

University of Central Arkansas.

Board of trustees.

Removal of members, §6-67-102.

APPRAISALS AND APPRAISERS.**Colleges and universities.**

Transfer and lease of state university property.

Determination of fair market value, §6-62-610.

Education.

Schoolhouses.

Insurance of buildings, contents and other property.

Losses, appraisal of, §6-20-1508.

APPRENTICESHIP.

Apprenticeship training program, §§6-52-201 to 6-52-208.

Higher education awareness program.

State funded programs providing opportunities for apprenticeships.

Compilation and dissemination of information about programs, §6-5-403.

APPROPRIATIONS.**Agricultural colleges.**

Southern Arkansas university, §6-65-408.

Career and technical education division.

Federal funds, §6-11-205.

University of Arkansas.

Application of funds for specified purposes only, §6-64-1002.

University of Arkansas at Little Rock.

College of information science and engineering, §6-64-1102.

Vocational education and rehabilitation.

Acceptance of benefits of congressional act, §6-51-211.

Accounts and accounting.

Statement of finances, §6-51-214.

Assistants appointed by commissioner of elementary and secondary education, §6-51-213.

Board of education.

Designation to administer federal and state acts, §6-51-213.

Disbursement, §6-51-212.

Records.

Keeping at capitol, §6-51-213.

Reports, §6-51-214.

State treasurer as custodian of funds, §6-51-212.

ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM, §§6-85-201 to 6-85-221.

ARKANSAS BRIGHTER FUTURE FUND PLAN ACT, §§6-84-101 to 6-84-114.

ARKANSAS CONCURRENT CHALLENGE SCHOLARSHIP PROGRAM, §§6-85-401 to 6-85-406.

ARKANSAS CONSTRUCTION INDUSTRY CRAFT TRAINING ACT, §§6-55-102 to 6-55-108.

ARKANSAS ENERGY SUMMARY AND REPORT, §§6-61-1601 to 6-61-1603.

ARKANSAS EVALUATION CENTER, §§6-5-701 to 6-5-703.

ARKANSAS EXISTING WORKFORCE TRAINING ACT, §§6-50-701 to 6-50-705.

ARKANSAS FUTURE GRANT PROGRAM, §§6-82-1801 to 6-82-1805.

Amount of grant, §6-82-1803.

Conversion of grant into repayable loan, §6-82-1804.

Definitions, §6-82-1801.

Disbursement of grant funds, §6-82-1803.

Eligibility of student, §6-82-1802.

Establishment of program, §6-82-1802.

Order of award, §6-82-1803.

Recipient requirements, §6-82-1804.

Rulemaking to implement provisions, §6-82-1805.

Written agreement with recipient, §6-82-1804.

ARKANSAS GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP PROGRAM ACT OF 2001, §§6-82-1501 to 6-82-1506.

ARKANSAS HEAVY EQUIPMENT OPERATOR TRAINING ACADEMY, §§6-61-531 to 6-61-533.

Appropriated funds, §6-61-533.

Establishment, §6-61-531.

Funding, §6-61-533.

Hiring practices, §6-61-532.

Operation, §6-61-532.

ARKANSAS NORTHEASTERN COLLEGE, §§6-59-101 to 6-59-111.

Board of directors, §6-59-103.

Catastrophic leave program.

Effect of merger, §6-59-106.

Certificate and diploma programs.

Effect of merger, §6-59-107.

**ARKANSAS NORTHEASTERN
COLLEGE —Cont'd**

Cotton boll technical institute.

Merger and name change, §6-59-102.

Curriculum.

Effect of merger, §6-59-107.

Definitions, §6-59-101.

Ex officio board of trustees,
§6-59-103.

Faculty and employees.

Effect of merger, §§6-59-104 to
6-59-106.

Health insurance plans.

Effect of merger, §6-59-104.

House construction programs,
§6-59-108.

Legal authority, §6-59-109.

**Mississippi county community
college.**

Merger and name change, §6-59-102.

Purchasing, §6-59-108.

Salary equity funding, §6-59-111.

Sick leave.

Effect of merger, §§6-59-105, 6-59-106.

Transfer of assets, §6-59-109.

Workforce 2000 development fund,
§6-59-110.

**ARKANSAS PUBLIC SCHOOL
ACADEMIC FACILITIES
FUNDING.**

Facilities funding act of 2007,
§§6-20-2601 to 6-20-2623.

**ARKANSAS PUBLIC SCHOOL
ACADEMIC FACILITIES
PROGRAM ACT.**

Buildings, §§6-21-801 to 6-21-817.

**ARKANSAS SCHOOL FOR THE
DEAF, §§6-43-301 to 6-43-321.**

ARKANSAS STATE COLLEGE.

**Successor institution, §§6-65-201 to
6-65-226.**

ARKANSAS STATE

**UNIVERSITY-BEEBE, §§6-65-217
to 6-65-226.**

Admissions, §6-65-212.

Board of trustees.

Powers, §6-65-208.

**Cooperation with other agricultural
schools, §6-65-215.**

Faculty, §6-65-211.

Fund, §6-65-216.

Rental of unused property, §6-65-214.

Staff, §6-65-211.

State technical institute.

Courses of study and training,
§6-65-220.

ARKANSAS STATE

UNIVERSITY-BEEBE —Cont'd

State technical institute —Cont'd

Legislative intent, §6-65-217.

Tuition, §6-65-212.

ARKANSAS STATE

**UNIVERSITY-SEARCY, §§6-56-101
to 6-56-110.**

Board of advisers, §6-56-103.

Catastrophic leave program.

Former institute employees,
§§6-56-105, 6-56-106.

Certificate and diploma programs.

Effect of merger, §6-56-107.

Curriculum.

Effect of merger, §6-56-107.

Definitions, §6-56-101.

Faculty and employees.

Effect of merger of institute on
employees, §§6-56-104 to 6-56-107.

Foothills technical institute.

Effective date of name change and
merger, §6-56-102.

Health insurance plans.

Effect of merger, §6-56-104.

Legal authority, §6-56-109.

Purchasing.

Conformity to procedures, §6-56-108.

Sick leave.

Former institute employees,
§§6-56-105, 6-56-106.

Transfer of assets, §6-56-109.

Workforce 2000 funding, §6-56-110.

**ARKANSAS STATE UNIVERSITY
SYSTEM.**

Board of trustees.

Appointment of members, §6-65-201.

Composition, §6-65-201.

Creation, §6-65-201.

Duties, §6-65-202.

Expenses of members, §6-65-201.

Number of members, §6-65-201.

Oath of office, §6-65-201.

Powers, §6-65-202.

Removal of members, §6-65-201.

Vacancies, §6-65-201.

**Chancellors or directors of branch
campuses.**

Housing allowances, §6-65-226.

Eminent domain, §6-65-203.

Appeals, §6-65-203.

Procedure, §6-65-203.

Engineering management college.

Jonesboro facility, §6-65-207.

Curriculum, schedule and structure,
§6-65-207.

ARKANSAS STATE UNIVERSITY SYSTEM —Cont'd

Engineering management college —Cont'd

Jonesboro facility —Cont'd
Research and education program,
§6-65-206.

Federal aid.

Participation authorized, §6-65-205.
Vouchers.
Drawing by disbursing agent,
§6-65-204.

Housing allowances.

Chancellors of branch campuses,
§6-65-226.

Jonesboro facility.

Engineering management college.
Curriculum, schedule and structure,
§6-65-207.
Established, §6-65-207.
Research and educational program.
Conducting program, §6-65-206.
Established, §6-65-206.

State aid.

Participation authorized, §6-65-205.

ARKANSAS STATE UNIVERSITY THREE RIVERS.

Administration, §6-54-104.

Authority, §6-54-101.

Conversion to community college.

Imposition of millage, §6-54-101.

Courses of study, §6-54-101.

Created, §6-54-101.

Deadlines under chapter.

Effect on other laws, §6-54-102.

Designation, §6-54-101.

Operation, §6-54-104.

Privileges, §6-54-103.

Procedures under chapter.

Effect on other laws, §6-54-102.

Rights, §6-54-103.

ARKANSAS TECH UNIVERSITY, §§6-57-101 to 6-57-104, 6-65-301 to 6-65-305.

Arkansas valley technical institute.
Name change and merger, §6-57-101.

Board of trustees, §6-57-101.

Appointment of members, §6-65-301.

Composition, §6-65-301.

Creation, §6-65-301.

Duties, §6-65-302.

Expenses of members, §6-65-301.

Number of members, §6-65-301.

Oath of office, §6-65-301.

Powers, §6-65-302.

Qualifications of members, §6-65-301.

Removal of members, §6-65-301.

ARKANSAS TECH UNIVERSITY —Cont'd

Board of trustees —Cont'd
Vacancies, §6-65-301.

Easements.

Authority to grant easements to lands,
§6-65-305.

Proceeds.

Disposition, §6-65-305.

Faculty and employees.

Effect of merger on employees,
§6-57-103.

Hot Springs branch, §6-65-303.

Legal authority, §6-57-102.

Mineral lands.

Lease authorized, §6-65-304.

Proceedings, §6-65-304.

Sick leave.

Former institute employees, §6-57-103.

Transfer of assets, §6-57-102.

Workforce 2000 development fund,
§6-57-104.

ARKANSAS TRAVELING TEACHER PROGRAM, §6-13-808.

ARKANSAS TUTORING CORPS ACT, §§6-15-3101 to 6-15-3104.

ARKANSAS VALLEY TECHNICAL INSTITUTE.

Merger and name change, §§6-57-101
to 6-57-104.

ARKIDS FIRST PROGRAM.

Education.

Division of elementary and secondary
education.

Information about availability,
distribution, §6-10-118.

ASSAULT.

Teachers.

Sick leave.

Assault in course of employment,
§6-17-1209.

ASSEMBLY.

Right of assembly.

Forming open and robust university
minds (FORUM) act, §§6-60-1001
to 6-60-1010.

ASSESSMENT COORDINATION DIVISION.

Division of elementary and secondary education.

Information sharing, §6-1-105.

ASTHMA.

Inhalers.

Use by or administration to school
students, §6-18-707.

ATHLETIC CONTESTS.**Colleges and universities.**

Athletic programs, §§6-62-801 to 6-62-807.

Fairness in women's sports act.

School sports teams to be based on biological sex, §6-1-107.

Concussions.

Youth athlete activities.

Development of concussion protocols, §6-18-710.

Fairness in women's sports act.

School sports teams to be based on biological sex, §6-1-107.

Football.

University of Arkansas radio broadcasts, §6-64-104.

Sudden cardiac arrest.

School procedures and staff training as to athletic activities, §§6-18-708, 6-18-713.

AT-RISK CHILDREN AND FAMILIES.**Charter schools.**

General provisions, §§6-23-101 to 6-23-1008.

Education.

School performance report act, §§6-15-1401, 6-15-1402.

ATTENDANCE IN SCHOOL, §§6-18-201 to 6-18-233.**ATTORNEY GENERAL.****Colleges and universities.**

Eminent domain.

Legal representation of board of trustees, §6-62-201.

ATTORNEYS AT LAW.**Colleges and universities.**

Disciplinary actions against students.

Appeal proceedings, right to counsel, §6-60-109.

Education.

Employees.

Grievance.

Right to representation of choice, §6-17-210.

School districts.

Legal counsel, §6-13-623.

Teachers.

Grievance.

Right to representation of choice, §6-17-210.

University of Arkansas.

Law school, §§6-64-601 to 6-64-621.

ATTORNEYS' FEES.**Education.**

School worker defense program, §6-17-1113.

AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS.**Teachers.**

Certified speech-language pathologists. NBTS certification, §6-17-413.

AUDIO RECORDINGS.**Digital video and audio recording devices.**

School discipline policy and exemptions concerning possession and use by students.

Personal electronic devices.

School district may establish, §6-18-515.

AUDITS AND AUDITORS.**Colleges and universities.**

Public access and inspection of audit reports, §6-60-108.

Educational institutions, §6-1-101.**Educational television.**

Revolving cash fund, §6-3-109.

Student loans.

Guarantee foundation.

Annual audit, §6-81-206.

Teachers.

Salaries.

Audits of accounts, §6-17-913.

AUTHORITIES.**Workforce development center authority act, §§6-50-801 to 6-50-810.****AUTISM SPECTRUM DISORDER.****Corporal punishment of students with disabilities, prohibition, §§6-17-112, 6-17-1113, 6-18-503.****AUTO-INJECTABLE EPINEPHRINE.****Elementary or secondary school students.**

Use by or administration to school students, §6-18-707.

AUTOMATED EXTERNAL DEFIBRILLATORS.**Schools, §6-10-122.**

Training programs, §6-10-123.

B**BANKS AND FINANCIAL INSTITUTIONS.****Education.**

Deposit of school funds, §6-20-222.

BASKETBALL.**University of Arkansas.**

Radio broadcasts, §6-64-104.

BIBLE.**Blind and visually impaired.**

School for the Blind.

Presentation to pupils, §6-43-219.

Public schools.

Academic study of bible course,
§6-16-145.

BIDS AND BIDDING.**Education.**

Insurance.

Public school employees.

Life and disability insurance,
§6-17-1109.

School districts.

Purchases of commodities,
§6-21-304.

Exemptions from bidding
requirements, §6-21-305.

School buses, §6-19-114.**BILL OF RIGHTS.****Constitution of the United States.**

Schools, documents permitted to be
read or posted, §6-16-122.

BIRTH CERTIFICATES.**Education.**

Presentation of certificate by pupils,
§6-18-208.

Public schools.

Presentation of certificate required,
§6-18-208.

BLACK RIVER**VOCATIONAL-TECHNICAL
SCHOOL, POCAHONTAS.**

**Institution designated as technical
college, §6-53-301.**

BLIND AND VISUALLY IMPAIRED.**Bible.**

School for the Blind.

Presentation to blind pupils,
§6-43-219.

Bonds, surety.

School for the Blind.

Steward, §6-43-209.

Superintendent, §6-43-103.

Clothing and traveling expenses.

Payment from parents or county,
§§6-43-109, 6-43-110.

Colleges and universities.

Electronic versions of instructional
materials.

Transcription into Braille, §6-68-105.

Community colleges.

Reorganization act of 1991.

Licensed blind vendors, §6-53-106.

BLIND AND VISUALLY IMPAIRED

—Cont'd

Conflicts of interest.

School for the Blind.

Board of trustees.

Materials and supplies, §6-43-206.

Employees.

Rules, §6-43-114.

Constitution of the United States.

School for the Blind.

Copy of constitution presented to
blind pupils, §6-43-219.

Education.

Admission.

Right of blind persons to admission,
§6-43-214.

Bible presented to blind pupils,
§6-43-219.

Clothing and traveling expenses,
§6-43-109.

County charged when furnished by
state, §6-43-109.

Warrants for the payment of money
presented to county treasurer,
§6-43-110.

Application to payment of
auditor's warrants in favor of
counties, §6-43-110.

Disposition of warrants, §6-43-110.

Payment by county treasurer.

Indorsement when no funds,
§6-43-110.

State treasurer to receive,
§6-43-110.

Compulsory school attendance,
§6-43-105.

Authority to send children outside
state where no facilities
available, §6-43-106.

Employers or harborers of absentees
guilty.

Penalties, §6-43-105.

Enforcement of act.

Prosecuting attorneys and school
attendance officers to enforce,
§6-43-105.

Exemption, §6-43-105.

One week's absence an offense,
§6-43-105.

Traveling time, §6-43-105.

Funeral expenses, §6-43-110.

Graduates.

Aid to graduates, §6-43-218.

Need as basis for aid, §6-43-218.

Penalty, §6-43-105.

Removal of pupils.

Expenses, §6-43-108.

BLIND AND VISUALLY IMPAIRED

—Cont'd

Education —Cont'd

Residence.

Certificate to accompany application
for admission, §6-43-107.School for the Blind, §§6-43-201 to
6-43-223.Teachers for visually impaired
entering state service, §6-17-809.

Unavailability of facilities.

Authority to send children outside
state, §6-43-106.

United States constitution.

Copy presented to blind pupils,
§6-43-219.**Educational services for visually
impaired, §§6-41-401 to 6-41-407.****Penalties.**

Education.

Compulsory school attendance,
§6-43-105.Employers or harborers of
absentees guilty, §6-43-105.**Prosecuting attorneys.**

Education.

Compulsory school attendance.

Enforcement of act, §6-43-105.

Records.

School for the Blind.

Purchasing agent, §6-43-220.

Reports.

School for the Blind, §6-43-221.

Publication of reports, §6-43-223.

Rules.

School for the Blind.

Board of trustees, §6-43-203.

School for the Blind.

Admission.

Certificate of residence to
accompany application,
§6-43-107.Right of blind persons to admission,
§6-43-214.

Allowances.

Records, §6-43-222.

Articles made by students.

Disposition of funds from sale of,
§6-43-217.

Bible.

Presentation to blind pupils,
§6-43-219.

Board of trustees.

Account of proceedings, §6-43-202.

Appointment of members, §6-43-101.

Building expenditures.

Recommendation by board
required, §6-43-207.**BLIND AND VISUALLY IMPAIRED**

—Cont'd

School for the Blind —Cont'd

Board of trustees —Cont'd

Compensation of members,
§6-43-101.

Composition, §6-43-101.

Conflicts of interest.

Materials and supplies, §6-43-206.

Creation, §6-43-101.

Duties, §6-43-102.

Eligibility.

Persons not eligible, §6-43-201.

Expulsions.

Power, §6-43-215.

General control of property and
institutional affairs, §6-43-204.

Meetings, §6-43-101.

Account of proceedings, §6-43-202.

Number of members, §6-43-101.

Oath of office, §6-43-101.

Powers, §6-43-102.

Qualifications of members,
§6-43-101.

Removal of members, §6-43-101.

Rules, §6-43-203.

Terms of members, §6-43-101.

Vacancies, §6-43-101.

Bonds, surety.

Steward, §6-43-209.

Braille copies of Bible and United
States Constitution presented
upon discharge, §6-43-219.

Buildings.

Expenditures.

Recommendation by board of
trustees required, §6-43-207.Clothing and traveling expenses,
§6-43-109.Collection from parents or county,
§6-43-109.County charged when furnished by
state, §6-43-109.Warrants for the payment of money
presented to county treasurer
for payment, §6-43-110.Application to payment of
auditor's warrants in favor of
counties, §6-43-110.

Disposition of warrants, §6-43-110.

Payment by county treasurer.
Indorsement when no funds,
§6-43-110.State treasurer to receive
warrants, §6-43-110.

Conflicts of interest.

Board of trustees.

Materials and supplies, §6-43-206.

BLIND AND VISUALLY IMPAIRED

—Cont'd

School for the Blind —Cont'd

Conflicts of interest —Cont'd

Employees.

Rules, §6-43-114.

Cultivation of grounds.

Employment of operatives for,
§6-43-212.

Earthquake safety drills, §6-10-121.

Employees, §6-43-104.

Applicability of nepotism rules,
§6-43-114.Conflicts of interests rules,
§6-43-114.

Discharge, §6-43-210.

Dual position occupancy, §6-43-117.

Duties, §6-43-210.

Ethics rules, §6-43-114.

Operatives to make repairs and
cultivate grounds, §6-43-212.

Salaries.

Compensation limitation,
§6-43-113.

Increases or decreases, §6-43-213.

Special allowances, §6-43-116.

Expenditures.

Statement of expenditures,
§6-43-222.

Expulsions, §6-43-215.

Funeral expenses, §6-43-111.

Graduates.

Aid to graduates, §6-43-218.

Need as basis for aid, §6-43-218.

Maintenance, transportation and
security, §6-43-321.

Property.

Deemed property of state, §6-43-205.

General control of property.

Board of trustees, §6-43-204.

Holding in trust for use of
institution, §6-43-205.Use during vacation period
forbidden, §6-43-216.

Purchases.

Conflicts of interest, §6-43-206.

General control of board of trustees,
§6-43-204.

Records.

Purchasing agent, §6-43-220.

Records.

Allowances, §6-43-222.

Purchasing agent, §6-43-220.

Removal of pupils.

Expenses, §6-43-108.

Reports, §6-43-221.

Publication, §6-43-223.

BLIND AND VISUALLY IMPAIRED

—Cont'd

School for the Blind —Cont'd

Residence.

Certificate of residence to
accompany application for
admission, §6-43-107.

Rules.

Board of trustees, §6-43-203.

Salaries.

Employees, §6-43-213.

Teachers, §6-43-213.

Sale of articles made by student.

Disposition of funds, §6-43-217.

Steward.

Bonds, surety, §6-43-209.

Duties, §6-43-209.

Superintendent, §§6-43-103, 6-43-208.

Board of trustees.

Not eligible for office of trustee,
§6-43-201.

Bond, surety, §6-43-103.

Compensation, §6-43-208.

Employees.

Powers as to, §6-43-104.

Railroads.

Free transportation, §6-43-208.

Selection, §6-43-103.

Teachers.

Licenses.

Required, §6-43-211.

Qualifications, §6-43-211.

Salaries.

Authorization to pay maximum
annual salary, §6-43-213.Eligibility for step increase after
licensure, §6-43-213.

Tornado safety drills, §6-10-121.

Transportation of pupils, §6-43-112.

United States Constitution.

Copy presented to blind pupils,
§6-43-219.**Teachers for visually impaired**

entering state service, §6-17-809.

Warrants for the payment of money.

School for the Blind.

Clothing and traveling expenses.

Application to payment of
auditor's warrants in favor of
counties, §6-43-110.County treasurer to pay warrants,
§6-43-110.

Disposition of warrants, §6-43-110.

Presenting warrants to county
treasurer, §6-43-110.State treasurer to receive
warrants in payment,
§6-43-110.

BLOOD.**High school health courses.**

Bleeding control training, §6-10-133.

BOARDS AND COMMISSIONS.**Education.**

Commission for Arkansas public school academic facilities and transportation, §§6-11-116, 6-21-114.

Educational television commission, §§6-3-101 to 6-3-113.**Eye and vision screenings and eye examinations for students.**

Commission on eye and vision care of school-age children, §§6-18-1801 to 6-18-1803.

Financial education commission, §§6-1-701 to 6-1-706.**Graduate medical education residency expansion board,** §§6-82-2001 to 6-82-2005.**Nurses.**

Graduate nurse educator loan and scholarship board, §6-81-1202.

Osteopathic rural medical practice student loans and scholarship board, §6-81-1803.**Public school academic facilities.**

Commission for Arkansas public school academic facilities and transportation, §§6-11-116, 6-21-114.

Schools and education.

Commission on eye and vision care of school-age children, §§6-18-1801 to 6-18-1803.

Financial education commission, §§6-1-701 to 6-1-706.

BOND ISSUES.**Buildings.**

Vocational education and rehabilitation, §6-51-216.

Colleges and universities.

Higher education technology and facility improvement, §§6-62-1101 to 6-62-1122.

Improvement districts.

Authority, §6-71-115.

Savings bonds, §§6-62-701 to 6-62-726.

Community colleges.

Technical college and community college capital improvements, §§6-61-1001 to 6-61-1014.

Corporations.

Educational institutions.

Power to borrow for the construction of facilities, §6-2-110.

BOND ISSUES —Cont'd**Refunding bonds.**

Colleges and universities.

Buildings.

Bond issues, §6-62-312.

Technical college and community college capital improvements, §§6-61-1001 to 6-61-1014.**University of Arkansas.**

Legal education fund, §§6-64-607 to 6-64-619.

Vocational education and rehabilitation.

Buildings, §6-51-216.

Workforce development center authority act, §6-50-808.**BONDS, SURETY.****Blind and visually impaired.**

School for the Blind.

Steward, §6-43-209.

Superintendent, §6-43-103.

Colleges and universities.

Improvement districts.

Collectors and treasurer, §6-71-114.

Deaf, deaf or Hard of Hearing.

School for the Deaf.

Superintendent, §6-43-103.

Division of career and technical education.

Director, §6-11-201.

Education.

Commissioner of elementary and secondary education, §6-11-102.

School districts.

Treasurers, §6-13-701.

Private resident and correspondence schools, §6-51-620.**Student loans.**

Guarantee foundation.

Disbursing officer, §6-81-203.

University of Arkansas.

Military department.

Giving bond to United States to secure use of arms for military department, §6-64-1003.

Execution by surety company.

Amount, §6-64-1003.

BOOKS.**Textbooks.**

General provisions, §§6-21-401 to 6-21-413.

BORROWING MONEY.**Colleges and universities.**

Private borrowing, §6-62-105.

BOUNDARIES.**Education.**

- Annexation and consolidation.
 - Public education reorganization act, §§6-13-1601 to 6-13-1613.
 - Quality education act, §§6-15-201 to 6-15-216.
 - School districts generally, §§6-13-1401 to 6-13-1417.
- Changes by state board of education, §6-13-1414.
- Maintenance of records, §6-11-127.
- Uncertain boundaries, §6-13-104.

School districts.

- Annexation and consolidation.
 - Public education reorganization act, §§6-13-1601 to 6-13-1613.
 - Quality education act, §§6-15-201 to 6-15-216.
 - School districts generally, §§6-13-1401 to 6-13-1417.
- Changes by state board of education, §6-13-1414.
- Maintenance of records, §6-11-127.
- Uncertain boundaries, §6-13-104.

BREACH OF PEACE.**Education.**

- Persons not students.
- Penalty, §6-21-606.

BREASTFEEDING.**Schools and education.**

- Healthy active Arkansas schools act, §6-18-719.

BREASTS OF FEMALE STUDENTS.**Clothes exposing to view.**

- School student discipline policy contents, §6-18-503.

BRIBERY.**Education.**

- Textbooks.
 - Illegal acts involving school officials, §6-21-410.

BRIGHTER FUTURE FUND PLAN**ACT, §§6-84-101 to 6-84-114.****Accounts.**

- Assignment prohibited, §6-84-110.
- Contributions, §6-84-107.
- Prohibitions, §6-84-110.
- Defined, §6-84-103.
- Employer matching contributions, §§6-84-107, 6-84-110, 6-84-111.
- Establishment, §6-84-107.
- Withdrawals, §6-84-109.
- Tax deductions, §6-84-111.

Administration of provisions, §6-84-105.**BRIGHTER FUTURE FUND PLAN
ACT —Cont'd****Aspiring scholars matching grant program, §6-84-114.****Citation of act, §6-84-101.****Definitions, §6-84-103.****Designated beneficiary, §6-84-108.**
Defined, §6-84-103.**Immunities, §6-84-112.****Interpretation and construction.**
Liberal construction of provisions, §6-84-113.**Investment committee, §6-84-105.**
Immunities, §6-84-112.**Investments.**

- Direction of investment, §6-84-106.
- Tax deductions, §6-84-111.

Legislative declaration, §6-84-102.**Purposes of act, §6-84-102.****Title of act, §6-84-101.****Trust.**

- Creation, §6-84-104.
- Defined, §6-84-103.

Withdrawals from accounts, §6-84-109.
Tax deductions, §6-84-111.**BROTHELS.****Where prohibited, §6-2-113.****BROTHERS.****Schools and education.**

- Classroom assignment of multiple birth siblings, §6-18-106.
- School choice transfer.
 - Definition of sibling, §6-1-106.

BUDGETS.**Colleges and universities.**

- Board of higher education, §6-61-209.

Community colleges.

- General operations, §6-61-601.

Education.

- Assessment coordination division.
 - Information sharing, §6-1-105.

School districts.

- Best financial management practices, §6-15-2301.

Directors.

- Powers and duties as to budgets, §6-13-620.

Publication, §6-13-622.**School finance.**

- Educational financial accounting and reporting act of 2004, §§6-20-2201 to 6-20-2210.

Educational television.

- Requests, §6-3-111.

School districts.

- Best financial management practices, §6-15-2301.

BUDGETS —Cont'd**School districts —Cont'd**

Directors.

Powers and duties as to budgets,
§6-13-620.

Publication, §6-13-622.

School finance.Educational financial accounting and
reporting act of 2004, §§6-20-2201
to 6-20-2210.**BUILDINGS AND CONSTRUCTION.****Bond issues.**Vocational education and
rehabilitation, §6-51-216.**Colleges and universities.**

Bond issues.

Authorized, §6-62-305.

Board of higher education.

Review of proposed bond issues,
§6-61-202.Commission on coordination of
higher education finance.Advice necessary before issuance,
§6-62-306.Nonbinding effect of advice on
board of institution,
§6-62-306.Construction and effect of act,
§6-62-306.Information submitted to
commission, §6-62-306.

Notice of advice, §6-62-306.

Construction and interpretation.

Liberal construction, §6-62-301.

Execution of bonds or notes,
§6-62-307.

Liability on bonds, §6-62-309.

Liberal construction, §6-62-301.

Pledge of revenues, funds, etc.,
§6-62-305.Refinancing valid outstanding
obligations.Cancellation of refunded
outstanding obligations,
§6-62-312.

Terms and conditions, §6-62-312.

Refunding bonds.

Cancellation of refunded
outstanding obligations,
§6-62-312.

Terms and conditions, §6-62-312.

Related agreements authorized,
§6-62-310.Terms and conditions of bonds,
§6-62-308.

Buildings.

Self-liquidating projects, §6-62-307.

BUILDINGS AND CONSTRUCTION

—Cont'd

Colleges and universities —Cont'd

Construction.

Authorized, §6-62-302.

Exempted institutions for certain
high-value construction projects,
§6-62-314.

Fees and charges.

Fixing, §6-62-311.

Financing.

Authorized, §6-62-303.

Temporary financing, §6-62-304.

Improvement districts.

Inducing existing institution to move
to district, §6-71-141.

Purchase.

Authorized, §6-62-302.

Refunding bonds, §6-62-312.

Cancellation of refunded
outstanding obligations,
§6-62-312.

Rents.

Fixing, §6-62-311.

Education.

Destruction of property, §6-21-604.

Public school academic facilities
funding act of 2007, §§6-20-2601
to 6-20-2623.Public school academic facilities
program act, §§6-21-801 to
6-21-817.Rent on division of elementary and
secondary education buildings,
§6-10-112.**University of Arkansas.**

Legal education fund.

Facilities for legal education,
§6-64-620.

Technology institute.

Improvement and construction of
property authorized, §6-64-805.**Vocational education and
rehabilitation.**

Bond issues, §6-51-216.

BULLYING.**Anonymous reporting by students.**ARSafeSchools, school safety and crisis
line, §§6-18-111, 6-18-112.**Bullying, defined, §6-18-514.****Policies to prevent bullying and
harassment, §6-18-514.****Professional development for school
personnel in bullying
prevention, §6-17-711.**

BURDEN OF PROOF.**School districts.**

Unlawful enrollment of students
outside district, §6-18-202.

**BUREAU OF LEGISLATIVE
RESEARCH.****Scholarships.**

Academic challenge scholarship
program.
Accountability and transparency.
Information supplied to bureau by
higher education division,
§6-85-217.

BUTTOCKS.**Clothes exposing to view.**

School student discipline policy
contents, §6-18-503.

C**CALENDARS.****School calendars.**

Adoption of academic calendar,
§6-10-106.
Alternate school calendar, §6-10-106.

CAMERAS AND CAMCORDERS.**Digital cameras and digital video
and audio recording devices.**

School discipline policy and
exemptions concerning possession
and use by students.
Personal electronic devices.
School district may establish,
§6-18-515.

School buses.

Automated school bus safety cameras,
§6-19-131.

CANCER.**Schools and education.**

Sunscreen use by students, §6-18-714.

CARDIAC ARREST.**School procedures and staff training
as to athletic activities.**

Sudden cardiac arrest, §§6-18-708,
6-18-713.

**CARDIOPULMONARY
RESUSCITATION.****Public schools.**

Instruction, §6-16-143.

**School-based training programs,
§6-10-123.****CAREER EDUCATION.****Arkansas workforce challenge
scholarship program, §§6-85-301
to 6-85-307.****Career and technical education
division.**

Administrative rules.
Financial impact statements,
§6-11-132.
Copies of authenticated documents.
Evidentiary effect, §6-11-205.
Director.
Office space, §6-11-201.
Surety bond, §6-11-201.
Federal funds.
Designation as state educational
authority, §6-11-205.
Receipt and expenditure, §§6-11-205,
6-11-206.
Official seal, use of, §6-11-204.
Powers and duties, §6-11-205.
Regional educational career
alternative school system for
adjudicated youth.
Multiagency task force, §6-11-208.
Rulemaking authority.
Compliance with federal
requirements, §6-11-205.
Vocational education.
Supervisory oversight, §6-11-203.
**College and career readiness
standards for programs,
§§6-5-1001 to 6-5-1004.**
Earning of postsecondary credits,
§6-5-1002.
Legislative findings, §6-5-1001.
Program of study, §6-5-1002.
Standards, §6-5-1003.
Technical skills assessments,
§6-5-1004.
State board of education.
Official seal, use by division of career
and technical education,
§6-11-204.
Record of proceedings, §6-11-202.
Rulemaking authority.
Compliance with federal
requirements, §6-11-207.
Vocational education.
Supervisory oversight, §6-11-203.
**Workforce development center
authority act, §§6-50-801 to
6-50-810.**
CATASTROPHIC ILLNESS.
University and college employees.
Catastrophic leave bank program,
§§6-63-601, 6-63-602.

CB RADIOS.**School buses.**

- Use of cell phone while driving bus.
- Inapplicability of provisions,
§6-19-120.

CELEBRATE FREEDOM WEEK.**Public schools, §6-16-101.****CELL PHONES.****School buses.**

- Use of cell phone while driving bus,
§6-19-120.

School discipline policy and exemptions concerning possession and use by students.

- Personal electronic devices.
- School district may establish,
§6-18-515.

CENSORSHIP.**Education.**

- American heritage and historical documents.
- Content-based censorship prohibited, §6-16-122.

CHARTER SCHOOLS, §§6-23-101 to 6-23-1008.**Abortion.**

- Student protection act, §§6-18-2201 to 6-18-2204.
- Definitions, §6-18-2202.
- Enforcement of provisions,
§6-18-2204.
- Title of provisions, §6-18-2201.
- Transactions prohibited by schools,
§6-18-2203.

Adult education charter schools, §§6-23-1001 to 6-23-1008.**Applications.**

- Approval, §6-23-1002.
- Contents and submission,
§6-23-1001.
- Resubmission of deficient applications, §6-23-1003.
- Eligibility to enroll, §6-23-1004.
- Enrollment, §6-23-1004.
- Funding, §6-23-1005.
- Renewal of charter, §6-23-1006.
- Reporting, §6-23-1007.
- Rulemaking by state board of education, §6-23-1008.

Agricultural studies, designation as school for, §6-23-108.**Applications for status.**

- Adult education charter schools.
- Approval, §6-23-1002.
- Contents and submission,
§6-23-1001.

CHARTER SCHOOLS —Cont'd**Applications for status —Cont'd**

- Adult education charter schools —Cont'd
- Resubmission of deficient applications, §6-23-1003.
- Authorization, §6-23-202.
- Contents, §6-23-201.
- Disapproved applications, resubmission, §6-23-203.
- Open-enrollment charter schools, §§6-23-302, 6-23-305.

Citation of act, §6-23-101.**Community school designation, §6-23-109.****Computers.**

- Public education surplus computer loan program, §6-17-118.

Conversion public charter schools.

- Application for status, §6-23-201.

Definitions, §6-23-103.

- Open-enrollment public charter schools capital grant program,
§6-23-801.

Disciplinary actions.

- Grounds, §6-23-105.

Distance learning demonstration projects.

- Public school district and charter school distance learning program,
§6-47-406.

Epinephrine.

- Use by or administration to school students, §6-18-707.

Legislative intent, §6-23-102.**Open-enrollment public charter schools, §§6-23-301 to 6-23-507.**

- Additional licenses for successful applicants, §6-23-304.
- Annual audit, §§6-23-403, 6-23-505.
- Application form and procedures, §6-23-301.
- Adoption of criteria for selection, §6-23-302.
- Grounds for denial, §6-23-304.
- Notice of disapproval, §6-23-305.
- Resubmission of disapproved application, §6-23-305.
- Application for status.
- Contents, §6-23-302.
- Appropriations, §§6-23-501 to 6-23-507.
- Assets upon dissolution, §6-23-506.
- Authority, §6-23-401.
- Authorization, §6-23-303.
- Budgeting.
- Reporting, §6-23-405.

CHARTER SCHOOLS —Cont'd**Open-enrollment public charter schools —Cont'd**

Capital grant program, §§6-23-801 to 6-23-804.

Administration, §6-23-804.

Application for grant, §6-23-803.

Definitions, §6-23-801.

Purpose of grants, §6-23-802.

Rules, §6-23-804.

Credit of state not pledged, §6-23-503.

Dissolution, §6-23-506.

Enrollment restrictions, §6-23-402.

Reporting on enrollment status, §6-23-405.

Evaluation, §6-23-404.

Facilities loan fund, §§6-23-901 to 6-23-908.

Administration and operation, §6-23-902.

Application for loan, §6-23-904.

Reviewing, §6-23-905.

Decision, §6-23-905.

Delinquent funds, §6-23-907.

Established, §6-23-901.

Failure to remit payment, §6-23-907.

Funding aid program, §6-23-908.

Funding source, §6-23-902.

Procedures, §6-23-902.

Purpose of loan, §6-23-903.

Rules, §6-23-906.

Form of charter.

Contents of charters, §6-23-306.

Funding, §6-23-501.

Source of funding, §6-23-502.

Gifts and donations, §6-23-501.

Initial funding, §6-23-501.

Initial year of operation.

Monthly reporting, §6-23-405.

Review, §6-23-406.

Number of charters granted.

Restriction on, §6-23-304.

Operation, §§6-23-401 to 6-23-406.

Participation in public school benefit program, §6-23-504.

Performance objectives, §§6-23-302, 6-23-303.

Powers, §6-23-401.

Preference criteria, §6-23-304.

Priority hiring of teachers.

Revocation of charter, §6-23-308.

Private or parochial schools ineligible for status, §6-23-304.

Professional qualifications of employees, §6-23-306.

Renewal of charters, §6-23-307.

CHARTER SCHOOLS —Cont'd**Open-enrollment public charter schools —Cont'd**

Replication of existing effective programs in traditional public schools.

Considered when approving applications, §6-23-304.

Reporting requirements, §6-23-310.

Initial year of operation.

Monthly reporting requirements, §6-23-405.

Rulemaking authority, §§6-23-308, 6-23-507.

Sectarian use of appropriations, §6-23-503.

Source of funding, §6-23-502.

Student attendance records, §6-23-402.

Public charter schools.

Authorizer.

Designated, §6-23-701.

Authorizer panel.

Appointment, members, §6-23-701.

Authorizing procedures, §6-23-702.

Final decisions by charter authorizer.

Notification, §6-23-702.

Review by state board of education, §6-23-703.

Form of charter, §6-23-104.

Hearings.

Conduct, §6-23-701.

Online posting of most recent version of contract, §6-23-104.

Probation status, §6-23-105.

Review of charter determination.

State board of education, §6-23-703.

Revocation of charter by authorizer, §6-23-105.

Voluntary assignment to charter authorizer, §6-23-105.

Public policy, §6-23-102.**Public school facilities.**

Unused or underutilized facilities.

Charter schools, right of access, §6-21-815.

Sale or lease, right of first refusal, §6-21-816.

Renewal of charter, §6-23-204.

Adult education charter schools, §6-23-1006.

Reporting requirements.

Open-enrollment public charter schools.

Initial year of operation.

Monthly reporting requirements, §6-23-405.

Public charter schools reporting to division of elementary and secondary education, §6-23-107.

CHARTER SCHOOLS —Cont'd**Reporting requirements —Cont'd**

State board's status report, §6-23-310.

Revisions to charter, §6-23-104.

Rulemaking authority, §§6-23-206, 6-23-309, 6-23-507.

School desegregation.

Impact on effect, §6-23-106.

School district waivers.

Open-enrollment public charter school drawing students from school district.

Petition for waivers granted to, §6-15-103.

School for agricultural studies, designation, §6-23-108.**Teachers.**

Priority public school hiring.

Revocation of charter, §§6-23-205, 6-23-308.

Professional qualifications of employees, §6-23-306.

Transfer of public school teacher, §6-23-201.

Title of act, §6-23-101.**CHILD ABUSE AND NEGLECT.****Central registry.**

School records check for existing nonlicensed employees, §6-17-415.

Hotline.

Schools, posting of child abuse hotline number, §6-18-712.

Mandatory reporters.

Training requirements, §6-61-133.

Reports.

Colleges and universities.

Training for mandatory reporters, §6-61-133.

Schools and education.

Parental notification of law enforcement actions.

Exceptions when investigating child abuse, §6-18-513.

Posting of child abuse hotline number in schools, §6-18-712.

Updating of school district policies in accordance with law, §6-10-124.

CHILDREN AND MINORS.**Colleges and universities.**

Improvement districts.

Assessments.

Actions to enforce lien.

Notice by publication for owners under a disability, §6-71-137.

CHILDREN AND MINORS —Cont'd**Criminal law and procedure.**

Schools, notice of disposition of minor adjudicated delinquent or convicted of criminal offense, §6-10-134.

Elementary school fundraising,

§§6-18-1101 to 6-18-1104.

Foster children.

Education funds for children with disabilities and foster children, §§6-20-501 to 6-20-510.

Fundraising, elementary schools,

§§6-18-1101 to 6-18-1104.

Mental health.

Educational programs for children in institutions, §6-11-120.

Protection of children from exploitation.

Sexually grooming a child.

Teacher licensing, disqualification, §6-17-410.

Social media.

Cyberbullying.

Anonymous reporting by students.

ARSafeSchools, school safety and crisis line, §§6-18-111, 6-18-112.

CHINA.**Colleges and universities.**

Foreign investments, transparency, §§6-60-1201 to 6-60-1205.

CHIROPRACTIC SCHOOLS.**Tuition assistance for residents**

attending out of state schools, §6-81-1101.

CHIROPRACTORS.**Tuition assistance for residents**

attending out of state chiropractic school, §6-81-1101.

CIRCUIT COURTS.**Education.**

School districts.

Annexation and consolidation.

Appeal of adverse agency decision, §6-13-1410.

CITIZENSHIP.**Schools and education.**

United States citizenship civics test, required for high school diploma, §6-16-149.

CIVIL DEFENSE.**Schools and education.**

Leave of absence for teachers and other school personnel, §6-17-306.

CIVIL RIGHTS.**Education.**

Division of elementary and secondary education.

Equity assistance center, §6-10-111.

Equity assistance center.

Division of elementary and secondary education, §6-10-111.

CIVIL WAR REENACTMENTS.

Definitions, §6-5-501.

Weapons on school property,

§6-5-502.

CLEAN INDOOR AIR ACT.**Colleges and universities.**

Clean air on campus, §§6-60-801 to 6-60-807.

COACHES.**College and career coaches**

program, §§6-1-601 to 6-1-605.

Administration, §6-1-603.

Duties, §6-1-604.

Established, §6-1-602.

Evaluation of effectiveness, §6-1-605.

Findings, §6-1-601.

Guidelines and procedures for implementing.

Managers to provide, §6-1-603.

Management, §6-1-603.

Participation, §6-1-602.

Performance data, report, §6-1-605.

Purpose, §6-1-602.

Qualifications, §6-1-604.

Supervision, §6-1-604.

Vacancy, §6-1-605.

School procedures and staff training as to athletic activities.

Sudden cardiac arrest, §§6-18-708, 6-18-713.

Youth athlete activities.

Development of concussion protocols, §6-18-710.

COLLEGE AND CAREER READINESS ASSESSMENTS.

Postsecondary preparatory programs, §§6-16-601 to 6-16-606.

Public school student progression, §6-15-2012.

COLLEGE AND CAREER READINESS STANDARDS.

Council on postsecondary education career readiness, §§6-5-1101 to 6-5-1104.

COLLEGES AND UNIVERSITIES.

Academic challenge scholarship program, §§6-85-201 to 6-85-221.

COLLEGES AND UNIVERSITIES

—Cont'd

Academic clemency, §6-60-207.

Academic credits.

Transfer of credits.

Statewide transfer agreement, §6-61-231.

Accountability and transparency at state-supported institutions.

Information to be posted on websites, §6-60-113.

Accounts and accounting.

State-supported institutions of higher education.

Accounts receivable policies, §6-61-131.

Accrediting agencies, restrictions on establishing, §6-61-136.**Admissions.**

College preparatory core curriculum completion required, §6-60-208.

Conditional collegiate admission process, §6-60-208.

Medically underserved areas.

Applicants from, §6-60-212.

Nonresidents.

Regulation of admission and enrollment, §6-60-201.

Off-campus enrollments, §6-60-203.

Standards to be developed by college or university, §6-60-208.

Advertising.

Private outside work using campus facilities.

Publicity and advertising to show institution and state not contractually obligated, §6-62-401.

Advisory committees and consuls, §6-61-204.

Affirmative action programs, §6-63-103.

American sign language.

Qualification as foreign language, §6-61-125.

Appeals.

Disciplinary actions against students. Right to counsel, §6-60-109.

Higher education technology and facility improvement act of 2005.

Priority of appeals, §6-62-1122.

Improvement districts.

Assessments, §6-71-107.

Actions to enforce lien, §6-71-136.

Appraisals and appraisers.

Transfer and lease of state university property.

Determination of fair market value, §6-62-610.

COLLEGES AND UNIVERSITIES

—Cont'd

Arkansas college savings bond act of 1989, §§6-62-701 to 6-62-726.**Arkansas concurrent challenge scholarship program**, §§6-85-401 to 6-85-406.**Arkansas energy summary and report.**

Generally, §§6-61-1601 to 6-61-1603.

Participation by state-supported institutions engaged in energy research, §6-61-1601.

Arkansas future grant program, §§6-82-1801 to 6-82-1805.**Arkansas higher education information system**, §§6-60-901 to 6-60-903.**Arkansas Northeastern college.**

General provisions, §§6-59-101 to 6-59-111.

Arkansas State University-Searcy.

General provisions, §§6-56-101 to 6-56-110.

Arkansas State University system.

Generally, §§6-65-201 to 6-65-226.

Arkansas Tech university.

Generally, §§6-57-101 to 6-57-104, 6-65-301 to 6-65-305.

Arkansas workforce challenge**scholarship program**, §§6-85-301 to 6-85-307.**Associate degrees.**

Applied science degrees.

Mathematics requirement, §6-61-134.

Semester hours required to be completed, §6-61-232.

Athletic programs.

Assessment of student athletic fee, §6-62-804.

Board of trustees.

Certification of program, §6-62-805.

Colleges and career coaches program, §§6-1-601 to 6-1-605.

Declaration of purpose, §6-62-801.

Deficits, §6-62-804.

Definitions, §6-62-802.

Fairness in women's sports act.

School sports teams to be based on biological sex, §6-1-107.

Funding limits, §6-62-803.

Limits of funding, §6-62-803.

Purpose of subchapter, §6-62-801.

Reporting expenditures, §6-62-807.

Rulemaking power of state board of higher education, §6-62-806.

COLLEGES AND UNIVERSITIES

—Cont'd

Athletic programs —Cont'd

Star-Spangled Banner act.

Playing of national anthem at schools and school-sanctioned sporting events, §6-60-116.

State board of higher education.

Rulemaking authority, §6-62-806.

Uniform reporting of athletic expenditures and revenue, §6-62-106.

Women's athletic programs.

Discrimination prohibited, §6-62-806.

Attorney general.

Eminent domain.

Legal representation of board of trustees, §6-62-201.

Attorneys at law.

Disciplinary actions against students.

Appeal proceedings, right to counsel, §6-60-109.

Audits.

Educational institutions, §6-1-101.

Enrollment data, §6-60-209.

Public access and inspection of audit reports, §6-60-108.

Baccalaureate degrees.

Semester hours required to be completed, §6-61-232.

Bankruptcy and insolvency.

Annual certification of solvency, §6-62-109.

Blind and visually impaired.

Electronic versions of instructional materials.

Transcription into Braille, §6-68-105.

Board of higher education.

Advisory committees and consuls.

Authority to establish, §6-61-204.

Athletic programs.

Rulemaking authority, §6-62-806.

Budgets, §6-61-209.

Chairman, §6-61-201.

Compensation, §6-61-201.

Director, §6-61-203.

Compensation, §6-61-203.

Qualifications, §6-61-203.

Duties, §6-61-202.

Endowments.

Administration, §6-61-213.

Existing boards unaffected by provisions, §6-61-103.

Federal aid.

State agency for federal programs, §6-61-212.

Meetings, §6-61-201.

COLLEGES AND UNIVERSITIES

—Cont'd

Board of higher education —Cont'd

Membership, §6-61-201.

Minority scholarship or grant program.

Annual review, §6-82-102.

New units of instruction, research and public service.

Defined, §6-61-208.

Proposals for.

Evaluation, §6-61-208.

Personnel.

Policies and administration, §6-61-214.

Planning.

Encouragement of participation, §6-61-305.

Master plan, §6-61-205.

Review of programs, §6-61-207.

Studies, surveys and evaluations, §6-61-206.

Powers, §6-61-202.

Review of programs, §6-61-207.

Savings bonds.

Powers and duties.

Issuance of bonds, §6-62-709.

Staff, §6-61-203.

Studies, §6-61-206.

Surveys, §6-61-206.

Technical or community college capital improvement bonds.

Authority of state board, §6-61-1010.

Terms of members, §6-61-201.

Transfer students.

Policies for, §6-61-216.

Trusts.

Administration, §6-61-213.

Tuition.

Reporting on student tuition and mandatory fees, §6-61-215.

Boards of trustees.

Athletic programs.

Certification of program, §6-62-805.

Bond issues.

Higher education technology and facility improvement, §§6-62-1101 to 6-62-1122.

Appeals.

Priority, §6-62-1122.

Authorization for issuance of bonds, §6-62-1105.

Authorization to issue, §6-62-1105.

Board of higher education.

Powers and duties, §6-62-1104.

Citation of act, §6-62-1101.

Construction of provisions, §6-62-1119.

COLLEGES AND UNIVERSITIES

—Cont'd

Bond issues —Cont'd

Higher education technology and facility improvement —Cont'd

Debt service.

Limitation, §6-62-1106.

Transfer of funds for, §6-62-1112.

Definitions, §6-62-1103.

Election, §6-62-1108.

Employment to accomplish issuance and sale, §6-62-1118.

Enforcement of rights and liabilities, §6-62-1120.

Legislative findings, §6-62-1102.

Plan for projects, §6-62-1104.

Procedure for issuance, §6-62-1109.

Proceeds of bonds.

Deposit, §6-62-1114.

Investment, §6-62-1114.

Use, §6-62-1115.

Professionals.

Employment to accomplish issuance and sale of bonds, §6-62-1118.

Projects to be financed, §6-62-1107.

Refunding bonds, §6-62-1116.

Repayment of bonds.

Sources for, §6-62-1113.

Rights and liabilities.

Commencement, §6-62-1121.

Enforcement, §6-62-1120.

Sale of bonds, §6-62-1111.

Employment to accomplish issuance and sale, §6-62-1118.

Tax exemption of bonds, §6-62-1117.

Terms of bonds, §6-62-1110.

Title of act, §6-62-1101.

Improvement districts.

Authority, §6-71-115.

Savings bonds, §§6-62-701 to 6-62-726.

Technical college and community college capital improvements, §§6-61-1001 to 6-61-1014.

Bonds, surety.

Improvement districts.

Collectors and treasurer, §6-71-114.

Borrowing money.

Private borrowing, §6-62-105.

Branch campus or program.

Duplication of services between institutions, §6-61-141.

Establishment.

Procedure for approval, §6-61-303.

Budgets.

Board of higher education, §6-61-209.

COLLEGES AND UNIVERSITIES

—Cont'd

Building better futures programs for students with intellectual disabilities.

Institutions of higher education,
§§6-41-701 to 6-41-705.

Buildings.

Bond issues.

Authorized, §6-62-305.

Board of higher education.

Review of proposed bond issues,
§6-61-202.

Commission on coordination of
higher education finance.

Advice necessary prior to
issuance, §6-62-306.

Nonbinding effect of advice on
board of institution,
§6-62-306.

Construction and effect of act,
§6-62-306.

Information submitted to
commission, §6-62-306.

Notice of advice, §6-62-306.

Construction and interpretation.

Liberal construction, §6-62-301.

Execution of bonds or notes,
§6-62-307.

Liability on bonds, §6-62-309.

Liberal construction, §6-62-301.

Pledge of revenues, funds, etc.,
§6-62-305.

Refinancing valid outstanding
obligations.

Cancellation of refunded
outstanding obligations,
§6-62-312.

Terms and conditions, §6-62-312.

Refunding bonds.

Cancellation of refunded
outstanding obligations,
§6-62-312.

Terms and conditions, §6-62-312.

Related agreements authorized,
§6-62-310.

Terms and conditions of bonds,
§6-62-308.

Construction.

Authorized, §6-62-302.

Exempted institutions for certain
high-value construction projects,
§6-62-314.

Fees and charges.

Fixing, §6-62-311.

Financing.

Authorized, §6-62-303.

Temporary financing, §6-62-304.

COLLEGES AND UNIVERSITIES

—Cont'd

Buildings —Cont'd

Purchase.

Authorized, §6-62-302.

Refunding bonds, §6-62-312.

Cancellation of refunded
outstanding obligations,
§6-62-312.

Rents.

Fixing, §6-62-311.

Bylaws.

Unconstitutional or illegal references
to race.

Removal, §6-61-113.

Campus bookstore advertising,

§6-60-605.

Campuses.

Smoking.

Clean air on campus, §§6-60-801 to
6-60-807.

Careers.

Employment and earning outcomes for
degrees and certificates at
institutions of higher education
and state-supported technical
institutes, §6-60-105.

Catastrophic leave bank program

for employees, §§6-63-601,
6-63-602.

Centers of excellence, §6-61-129.**Chancellors of universities.**

Contract for employment of president
or chancellor, §6-60-114.

Housing allowance, §6-62-108.

Charters.

Unconstitutional or illegal references
to race.

Removal, §6-61-113.

Child maltreatment mandatory reporters.

Training requirements, §6-61-133.

China.

Foreign investments, transparency,
§§6-60-1201 to 6-60-1205.

Clean air on campus, §§6-60-801 to
6-60-807.

Definitions, §6-60-803.

Fines to enforce provisions, §6-60-807.

Legislative findings and intent,
§6-60-802.

Prohibition of smoking, §6-60-804.

Notice, §6-60-805.

Rulemaking to implement provisions,
§6-60-806.

Short title of provisions, §6-60-801.

COLLEGES AND UNIVERSITIES

—Cont'd

Clean air on campus —Cont'd

Signs.

Prohibition communicated by means
of "no smoking" signs,
§6-60-805.

Coaches.

Colleges and career coaches program,
§§6-1-601 to 6-1-605.

College and career readiness standards.

Council on postsecondary education
and career readiness, §§6-5-1101
to 6-5-1104.

College preparatory core curriculum.

Completion for unconditional
admission to public institution of
higher education, §6-60-208.

Commission on coordination of higher education finance.

Designation as state agency for grants
under federal act, §6-62-313.

Common course numbering system,

§§6-61-1401 to 6-61-1407.

Additions or alterations, §6-61-1403.

Catalogs and listings to use,
§6-61-1404.

Collection of data by department,
§6-61-1407.

Included courses, §6-61-1402.

Non-state-supported schools,
participation, §6-61-1405.

Purpose of provisions, §6-61-1401.

Review of listed courses, §6-61-1406.

Community college capital improvements.

Bond issues generally, §§6-61-1001 to
6-61-1014.

Comprehensive Arkansas higher education annual report,

§§6-60-701 to 6-60-705.

Concurrent challenge scholarship program,

§§6-85-401 to 6-85-406.

Conditional collegiate admission

process, §6-60-208.

Conservation.

Courses of study, §6-61-107.

Consolidations and mergers,

§6-60-102.

Constitution of the United States.

Course required, §6-61-105.

Construction.

Buildings.

Self-liquidating projects, §6-62-306.

Exempted institutions for certain
high-value construction projects,
§6-62-314.

COLLEGES AND UNIVERSITIES

—Cont'd

Construction —Cont'd

Improvement districts.

Inducing existing institution to move
to district, §6-71-141.

Construction and interpretation.

Buildings.

Bond issues.

Commission on coordination of
higher education financing,
§6-62-306.

Liberal construction, §6-62-301.

Higher education technology and
facility improvement act of 2005,
§6-62-1119.

Constructive service.

Improvement districts.

Assessment liens.

Actions to enforce.

Notice by constructive service,
§6-71-124.

Contracts.

Military training property and
equipment, §6-62-102.

Southern regional education compact.
Board.

Cooperation and contracts with
board, §6-61-402.

Transfer and lease of property of state
university.

Execution of contracts, §6-62-605.

Conveyances.

Transfer and lease of state university
property.

Instruments of conveyance,
§6-62-611.

Core curriculum completion for unconditional admission to public institution of higher education,

§6-60-208.

Correction employees.

Scholarships for children of peace
officers, firefighters, teachers and
certain state employees,
§§6-82-501 to 6-82-507.

Council on postsecondary education and career readiness,

§§6-5-1101
to 6-5-1104.

Course materials.

Textbooks and course materials,
§§6-60-601 to 6-60-605.

Course-selection advice to students,

§6-61-130.

Transferability of coursework, advice
on, §6-61-132.

Courses of study.

American history and civil
government, §6-61-105.

COLLEGES AND UNIVERSITIES

—Cont'd

Courses of study —Cont'd

- American institutions and ideals, §6-61-105.
- Common course numbering system, §§6-61-1401 to 6-61-1407.
- Conservation of natural resources, §6-61-107.
- Electrical energy advancement program, §§6-61-1501 to 6-61-1503.
- High school students.
 - Credit for college courses, §6-18-223.
- Mathematics courses.
 - Associate of applied science degrees.
 - Mathematics requirement, §6-61-134.
- Minimum college core.
 - Establishment, §6-61-218.
 - Transferability, §6-61-218.
- Remedial courses.
 - Testing of entering freshmen, §6-61-110.
- Review, §6-61-226.
- United States constitution, §6-61-105.

Damages.

- Improvement districts.
 - Real property.
 - Petition to acquire private property.
 - Deposit to cover damages prior to determination, §6-71-140.
 - Determination of damages, §6-71-140.
 - Payment of damages, §6-71-140.

Data processing.

- Defined, §6-61-101.

Deaf, deaf or Hard of Hearing.

- Aid to Deaf or deaf students at college, §6-43-318.
- American sign language as foreign language, §6-61-125.

Definitions.

- Athletic programs, §6-62-802.
- Catastrophic leave bank program, §6-63-601.
- Center of excellence, §6-61-129.
- Data processing, §6-61-101.
- Higher education technology and facility improvement act of 2005, §6-62-1103.
- Improvement districts, §6-71-101.
- Minor child, §6-60-210.
- Savings bonds, §6-62-703.
- Scholarships.
 - Peace officers, firefighters, teachers and certain state employees, §6-82-501.

COLLEGES AND UNIVERSITIES

—Cont'd

Definitions —Cont'd

- Transfer and lease of property of state university, §6-62-601.
- Tuition.
 - Prisoners of war or persons missing or killed in action.
 - Free tuition and fees for dependents, §6-82-601.

Degree from non-certified institutions.

- False academic credentials.
- Criminal penalty for use of, §6-61-135.

Disabilities, individuals with.

- Building better futures programs for students with intellectual disabilities.
- Institutions of higher education, §§6-41-701 to 6-41-705.
- Immunization of enrollees, §6-60-504.

Disciplinary actions against students.

- Appeal proceedings, right to counsel, §6-60-109.

Discrimination.

- Athletic programs.
 - Women's athletic programs.
 - Nondiscriminatory application of subchapter.
 - Required, §6-62-806.
- Electronic versions of instructional materials.
 - Failure to comply with provisions as act of discrimination, §6-68-108.
- Employees.
 - Affirmative action programs, §6-63-103.

Diseases.

- Immunization of enrollees, §§6-60-501 to 6-60-504.
- Meningococcal disease warning, §6-61-123.

Division of higher education.

- Academic challenge scholarship program.
- Accountability and transparency.
 - Legislative research bureau, information supplied to, §6-85-217.
 - Reporting by institution, §6-85-216.
- Rulemaking to implement provisions, §6-85-205.
- Financial condition report, §6-61-222.
- Planning.
 - Encouragement of participation by private institutions, §6-61-305.

COLLEGES AND UNIVERSITIES

—Cont'd

Division of higher education —Cont'dProductivity-based funding model,
§6-61-234.Review of existing programs of higher
education, §6-61-304.

Scholarships.

Administration, §6-82-105.

State board of private career
education, §6-51-605.**Duplication of services between
constituent institutions,**
§6-61-141.**Elections.**Higher education technology and
facility improvement.

Bond election, §6-62-1108.

Improvement districts.

Approval of chapter.

Election method, §6-71-105.

**Electrical energy advancement
program, §§6-61-1501 to 6-61-1503.**Electrical energy advancement
program fund.

Board, §§6-61-1502, 6-61-1503.

Statewide energy consortium,
§6-61-1501.**Electronic communications privacy,**
§6-61-126.**Electronic versions of instructional
materials, §§6-68-101 to 6-68-108.**

Braille.

Transcription into, §6-68-105.

Copyright protection, §6-68-106.

Definitions, §6-68-101.

Discrimination.

Failure to comply with provisions to
constitute, §6-68-108.Guidelines for implementation of
provisions, §6-68-107.Nonprinted instructional materials,
§6-68-104.Printed instructional materials,
§6-68-102.

Student use requirement, §6-68-103.

Requests for, §6-68-105.

Emergencies.Panic button alert system to contact
911, §6-61-140.**Emergency or security records or
information.**Records exempt from freedom of
information disclosure, §6-61-139.**Eminent domain.**Action brought in name of board of
trustees, §6-62-201.**COLLEGES AND UNIVERSITIES**

—Cont'd

Eminent domain —Cont'dGranting power to state colleges and
universities.

Exception, §6-62-201.

Legal representation of board.

Attorney general and prosecuting
attorneys to represent board,
· §6-62-201.Procedure followed in action,
§6-62-201.

Resolution, §6-62-201.

Employees.Affirmative action programs,
§6-63-103.Catastrophic leave bank program,
§§6-63-601, 6-63-602.Higher education expenditure
restrictions, §§6-63-301 to
6-63-316.

Additional duties.

Additional compensation,
§6-63-306.Additional help restrictions,
§6-63-314.

Additional positions.

Upon availability of additional
funds, §6-63-305.

Maximum number, §6-63-305.

Adjunct professors, §6-63-315.

Administrators.

Salaries, reporting, §6-63-316.

Applicability of subchapter,
§6-63-302.Other fiscal laws not superseded,
§6-63-302.

Citation of subchapter, §6-63-301.

Continuation of new or added
positions, §6-63-305.

Extra help restrictions, §6-63-314.

Faculty recruitment, §6-63-309.

Exceptions to maximum salary
levels, §6-63-309.National center for toxicological
research.Special authorizations and
contracts, §6-63-311.

New positions, §6-63-305.

Nine month and part-time
employees, §6-63-303.Maximum annual salary,
§6-63-303.Optional payment in twelve
monthly installments,
§6-63-303.Other fiscal laws not superseded,
§6-63-302.

COLLEGES AND UNIVERSITIES

—Cont'd

Employees —Cont'dHigher education expenditure
restrictions —Cont'dOvertime for classified positions,
§6-63-308.

Limitations, §6-63-308.

Part-time employees, §6-63-303.

Maximum annual salary,
§6-63-303.Optional payment in twelve
monthly installments,
§6-63-303.

Payroll deductions, §6-63-304.

Penalties.

Violations of provisions regarding
salary restrictions, §6-63-307.

Reports.

Transfers of appropriations from
contingency appropriation.

Monthly reports, §6-63-312.

Salaries, §6-63-307.

Additional compensation,
§6-63-307.

Additional duties, §6-63-306.

Penalties, §6-63-307.

Administrator salaries, reporting,
§6-63-316.Deductions from payrolls,
§6-63-304.

Faculty recruitment.

Exceptions to maximum salary
levels, §6-63-309.Nine month and part-time
employees.Maximum annual salary,
§6-63-303.Optional payment in twelve
monthly installments,
§6-63-303.

Penalties, §6-63-307.

Private contributors.

Authorization for increases in
maximum compensation
levels, §6-62-103.Increase in maximum
authorized compensation
levels, §6-62-103.Qualifications of recipients of
increase in maximum
authorized levels, §6-62-103.

Short title, §6-63-301.

Title of subchapter, §6-63-301.

Transfer of appropriations from
contingency appropriation,
§6-63-312.

Monthly reports, §6-63-312.

COLLEGES AND UNIVERSITIES

—Cont'd

Employees —Cont'dHigher education expenditure
restrictions —Cont'd

Visiting professors, §6-63-315.

Insurance.

Salary deductions for group
insurance premiums, §6-63-102.

Reports.

Higher education expenditure
restrictions, §6-63-312.

Salaries.

Insurance.

Deductions for group insurance
premiums, §6-63-102.

Sick leave.

Catastrophic leave bank program,
§§6-63-601, 6-63-602.Social media accounts of current or
prospective employees.Restrictions on use by institution of
higher education, §6-60-104.

Social security number.

Use on employee identification
cards, §6-61-126.**Employment and earning outcomes
for degrees and certificates at
institutions of higher education
and state-supported technical
institutes, §6-60-105.****Energy summary and report.**

State summary and report.

Generally, §§6-61-1601 to 6-61-1603.

Participation by state-supported
institutions engaged in energy
research, §6-61-1601.**Enrollment data, §6-60-209.****Exemption from provisions,
§6-61-102.****Expansion of institutions, §6-61-303.****Expenditure data presentation,
§6-61-137.****Extension courses.**

Authorized, §6-60-402.

Courses of instruction, §6-60-404.

Establishment.

Authority, §6-60-402.

Facilities, §6-60-404.

Guidelines, §6-60-403.

Legislative intent, §6-60-401.

Purpose of provisions, §6-60-401.

Requirements, §6-60-403.

Eye protection, §6-61-108.**Faculty advisors.**

Course-selection advice, §6-61-130.

Transferability of coursework, advice
on, §6-61-132.

COLLEGES AND UNIVERSITIES

—Cont'd

Faculty performance review,
§6-63-104.**False academic credentials.**

Criminal penalty for use of, §6-61-135.

Federal aid.

Board of higher education.

State agency for federal programs,
§6-61-212.Student incentive grant program,
§6-61-401.**Fees.**

Senior citizens.

Waiver of general student fee
charges for persons over sixty,
§6-60-204.

Tuition.

Prisoners of war or persons missing
or killed in action.Free tuition and fees for
dependents, §6-82-601.Reporting on student tuition and
mandatory fees, §6-61-215.**Finance.**Commission on coordination of higher
education finance.Designation as state agency for
grants under federal act,
§6-62-313.State-supported institutions, accounts
receivable policies, §6-61-131.**Firefighters.**Scholarships for children of
firefighters, §§6-82-501 to
6-82-507.**Flags, flying,** §6-60-110.**Foreign investments, transparency,**
§§6-60-1201 to 6-60-1205.**Foresters for the future scholarship
program,** §§6-82-2101 to 6-82-2103.**Forestry employees.**Scholarships for children of peace
officers, firefighters, teachers and
certain state employees,
§§6-82-501 to 6-82-507.**Forming open and robust university
minds (FORUM) act,** §§6-60-1001
to 6-60-1010.Areas considered public forums,
§6-60-1005.

Definitions, §6-60-1003.

Expressive activities protected under
provisions, §6-60-1004.

Freedom of association, §6-60-1006.

Legislative intent, §6-60-1002.

Permissible activities on outdoor areas
of campus, §6-60-1005.**COLLEGES AND UNIVERSITIES**

—Cont'd

**Forming open and robust university
minds (FORUM) act** —Cont'dPolicies regarding free expression,
§6-60-1007.

Remedies for violations, §6-60-1009.

Statute of limitations, §6-60-1010.

Reporting requirements, §6-60-1008.

Restrictions on outdoor areas of
campus, §6-60-1005.Student organizations,
nondiscrimination, §6-60-1006.

Title of provisions, §6-60-1001.

Forms.

Improvement districts.

Assessments.

Collection of assessments,
§§6-71-116, 6-71-117.**Foster care, students in.**Homeless and foster student liaison,
§6-60-115.**Freedom of expression, student
journalists,** §§6-60-1101 to
6-60-1103.**Funds.**Annual certification of solvency,
§6-62-109.Calculation of number of days of
cash-on-hand, §6-62-109.Higher education consolidation
matching fund, §6-60-102.Productivity-based funding model for
funding formula, §6-61-234.

Research development.

Applications for funds, §6-61-808.
Uses, §6-61-807.**Governing boards.**Accountability and transparency at
state-supported institutions.Information to be posted on
websites, §6-60-113.Existing boards unaffected by
provisions, §6-61-103.State-supported institutions, accounts
receivable policies.Student accounts receivable aging
report to be provided to board,
§6-61-131.**Governor's scholars program,**
§§6-82-301 to 6-82-314.**Graduation.**

Rates.

Information, §6-61-220.

Grants.

Selective service act.

Compliance with required,
§6-80-102.

COLLEGES AND UNIVERSITIES

—Cont'd

Grants —Cont'd

Student incentive grant program,
§6-61-401.

Guardians ad litem.

Improvement districts.

Assessments.

Actions to enforce lien.

Appointment of guardian ad
litem for persons under a
disability, §6-71-138.

Hazing.

General provisions, §§6-5-201 to
6-5-204.

Higher education consumer guide act, §§6-61-1701 to 6-61-1703.

Creation and contents of consumer
guide, §6-61-1703.

Definitions, §6-61-1702.

Title of act, §6-61-1701.

Higher education expenditure restrictions, §§6-63-301 to 6-63-316.**Higher education information system, §§6-60-901 to 6-60-903.**

Access to information, §6-60-902.

Compliance by institutions of higher
education, §6-60-902.

Definitions, §6-60-901.

Development, §6-60-902.

Duties of division, §6-60-902.

Higher education minority retention programs, §6-61-122.

Minority defined, §6-61-121.

Higher education technology and facility improvement act of 2005, §§6-62-1101 to 6-62-1122.**Higher education tuition adjustment fund, §6-60-303.****High school students.**

Enrollment of qualified students as
part-time students in institutions
of higher education, §6-60-202.

Minimum core courses for college prep,
§6-61-217.

Postsecondary feedback of information
to high schools, §6-15-2401.

Highway employees.

Scholarships for children of peace
officers, firefighters, teachers and
certain state employees,
§§6-82-501 to 6-82-507.

History.

Course in American history and civil
government.

Required, §6-61-105.

COLLEGES AND UNIVERSITIES

—Cont'd

Homeless and foster student liaison, §6-60-115.**Identification cards.**

Student identification badges.

Hotlines and other information to be
included, §6-60-118.

Student or employee identification
cards.

Prohibited use of social security
number, §6-61-126.

Immunization of enrollees.

Legislative declaration.

Purpose of subchapter, §6-60-501.

Physical disabilities, §6-60-504.

Proof of immunity, §6-60-502.

Time, §6-60-502.

Purpose of subchapter, §6-60-501.

Religious objections, §6-60-504.

Rules.

Authority of state board of health to
adopt rules, §6-60-503.

Enforcement of rules, §6-60-503.

Improvement districts.

Appeals.

Assessments, §6-71-107.

Applicability of provisions.

Exceptions.

Commission form of government,
§6-71-102.

Approval of chapter.

Election method, §6-71-105.

Petition method, §6-71-105.

Assessments.

Amount.

Limitation, §6-71-111.

Maintenance assessments,
§6-71-113.

Appeals, §6-71-107.

Apportionment, §6-71-108.

Correction of description of property,
§6-71-129.

Deferral of levy, §6-71-110.

Delinquencies.

Penalties, §6-71-118.

Forms.

Warrant for collection of
assessments, §6-71-116.

Installments.

Annual installments, §6-71-108.

Levy of assessment.

Deferral of levy, §6-71-110.

Liens.

Actions to enforce.

Allowance to special
commissioner for sale of
land, §6-71-132.

COLLEGES AND UNIVERSITIES

—Cont'd

Improvement districts —Cont'd

Assessments —Cont'd

Liens —Cont'd

Actions to enforce —Cont'd

Appeals to supreme court,
§6-71-136.Best bidder to have property
sold to him, §6-71-131.Brought in name of district,
§6-71-127.

Cause of action, §6-71-119.

Certificate of purchase to be
filed as prerequisite to
issuance of deed, §6-71-130.Commissioner's deed to
purchaser, §6-71-130.Constructive service of process,
§6-71-124.Correction of description of
property, §6-71-129.

Decree, form, §6-71-126.

Deed of commissioner to
purchaser, §6-71-130.

Default decrees, §6-71-123.

Defendants, §6-71-122.

Direction for sale of property,
§6-71-128.District to purchase where no
other purchaser, §6-71-131.Exhibition of resolutions or
documents unnecessary,
§6-71-120.Filing of certificate of purchase
as prerequisite to issuance
of deed, §6-71-130.

Form of decree, §6-71-126.

Generally, §6-71-119.

Guardian ad litem appointed in
cases of owners' disability,
§6-71-138.In rem proceedings where owner
unknown, §6-71-122.Interest on redemption,
§6-71-134.Joinder of actions against
several owners, §6-71-121.Mentally diseased or defective
owners, §6-71-137.

Minor owners, §6-71-137.

Nonresident owners, §6-71-137.

Notice by publication, §6-71-137.

Owner to reimburse purchaser
for assessments paid upon
redemption, §6-71-135.Payment to clerk to redeem,
§6-71-134.**COLLEGES AND UNIVERSITIES**

—Cont'd

Improvement districts —Cont'd

Assessments —Cont'd

Liens —Cont'd

Actions to enforce —Cont'd

Precedence over other cases,
§6-71-125.Price paid special commissioner
to be stated in certificate of
purchase, §6-71-133.Publication of notice,
§§6-71-124, 6-71-137.

Redemption, §6-71-134.

Reimbursement for assessments
by purchaser, §6-71-135.Resolutions or documents need
not be exhibited, §6-71-120.

Sale of property, §6-71-128.

Special commissioner to receive
allowance for sale of land,
§6-71-132.Statement of price paid special
commissioner in certificate
of purchase, §6-71-133.Suit in name of district,
§6-71-127.Summons and process,
§6-71-123.Supreme court appeals,
§6-71-136.Supreme court decision,
§6-71-136.Time for appeal to supreme
court, §6-71-136.Time limit for redemption,
§6-71-134.Transcript on appeal to supreme
court, §6-71-136.Assessment as lien on real
property, §6-71-109.Maintenance assessments,
§6-71-113.

Limitation, §6-71-111.

Maintenance assessments,
§6-71-113.

Notice.

Actions to enforce lien, §6-71-137.

Collection.

Form, §6-71-117.

Publication, §6-71-117.

Filing of assessments, §6-71-107.

Maintenance assessments,
§6-71-113.Sale of property to enforce lien,
§6-71-128.

Procedure, §6-71-107.

Railroads, §6-71-112.

COLLEGES AND UNIVERSITIES

—Cont'd

Improvement districts —Cont'd

Assessments —Cont'd

Tramroads, §6-71-112.

Warrant for collection.

Form, §6-71-116.

Assessors.

Appointment, §6-71-107.

Defined, §6-71-101.

Oath, §6-71-107.

Benefits.

Requirements for receipt, §6-71-142.

Bond issues.

Authority to issue, §6-71-115.

Borrowing money.

Authority to borrow, §6-71-115.

City of first class.

Created and constituted a special improvement district, §6-71-103.

Collectors.

Appointment, §6-71-114.

Bonds, surety, §6-71-114.

Compensation, §6-71-114.

Defined, §6-71-101.

Commissioners.

Annual statements, §6-71-104.

Assistants.

Employment, §6-71-104.

Defined, §6-71-101.

Management of district, §6-71-104.

Oath, §6-71-104.

Organization, §6-71-104.

Per diem, §6-71-104.

Quorum, §6-71-104.

Rules, §6-71-104.

Vacancies, §6-71-104.

Commission form of government.

Exception as to cities with, §6-71-102.

Construction and maintenance of college or university.

Inducing existing institution to move to district, §6-71-141.

Corporate limits.

Defined, §6-71-101.

Counties.

Multidistrict counties, §6-71-106.

Definitions, §6-71-101.

Elections.

Approval of chapter, §6-71-105.

First class city.

Created and constituted a special improvement district, §6-71-103.

Inducing existing institution to move to district, §6-71-141.

Multidistrict counties, §6-71-106.

COLLEGES AND UNIVERSITIES

—Cont'd

Improvement districts —Cont'd

Notice.

Assessments, §§6-71-107, 6-71-113.

Action to enforce lien, §6-71-137.

Notice for collection, §6-71-117.

Sale of property to enforce lien, §6-71-128.

Public notice of passage of chapter, §6-71-105.

Real property.

Petition to acquire, §6-71-140.

Petitions.

Approval of chapter, §6-71-105.

Real property.

Defined, §6-71-101.

Petition to acquire private property.

Contents, §6-71-140.

Damages.

Deposit to cover damages prior to determination, §6-71-140.

Determination, §6-71-140.

Payment, §6-71-140.

Deposit to cover damages prior to determination, §6-71-140.

Entry on land after deposit, §6-71-140.

Jury trial, §6-71-140.

Notice to owner, §6-71-140.

Power to hold and acquire, §6-71-139.

Requirements for receipt of benefits, §6-71-142.

Treasurer.

Appointment, §6-71-114.

Bonds, surety, §6-71-114.

Compensation, §6-71-114.

Income of alumni.

Higher education consumer guide information, §6-61-1703.

Information to be made available by division of higher education, §§6-60-1301 to 6-60-1305.

Incorporation.

Advisory committee, §6-61-302.

Composition, §6-61-302.

Expenses of members, §6-61-302.

Terms of members, §6-61-302.

Certificate, §6-61-301.

Generally, §6-61-301.

Misdemeanors.

Violations of provisions, §6-61-301.

Penalties.

Violations of provisions, §6-61-301.

Revocation of certification, §6-61-301.

Indoor clean air.

Clean air on campus, §§6-60-801 to 6-60-807.

COLLEGES AND UNIVERSITIES

—Cont'd

In rem proceedings.

Improvement districts.

Assessments.

Liens.

Actions to enforce, §6-71-122.

Insurance.

Employees.

Salary deductions for group insurance premiums, §6-63-102.

Transfer and lease of state university property.

Title insurance, §6-62-611.

Interest.

Improvement districts.

Assessments.

Actions to enforce lien.

Redemption, §6-71-134.

Investments.

Foreign investments, transparency, §§6-60-1201 to 6-60-1205.

Acceptance and disclosure of foreign gifts and contracts, §6-60-1204.

Annual disclosure report, §6-60-1205.

Confucius institutes and affiliated entities, prohibitions, §6-60-1203.

Definitions, §6-60-1202.

Title of provisions, §6-60-1201.

Transfer and lease of state university property, §6-62-613.

Job placement.

Employment and earning outcomes for degrees and certificates at institutions of higher education and state-supported technical institutes, §6-60-105.

Higher education consumer guide information, §6-61-1703.

Information to be made available by division of higher education, §§6-60-1301 to 6-60-1305.

Jury.

Improvement districts.

Real property.

Petition to acquire private property.

Trial by jury, §6-71-140.

Liens.

Improvement districts.

Assessments, §§6-71-109, 6-71-113.

Loans.

Private borrowing by institutions of higher education, §6-62-105.

Selective service act.

Compliance with required, §6-80-102.

COLLEGES AND UNIVERSITIES

—Cont'd

Loans —Cont'd

Student financial aid.

Stacking of scholarships, §6-80-105.

Marketing and services provided outside of service areas.

State-supported two-year institutions, §6-50-104.

Medically underserved areas.

Admission of applicants from, §6-60-212.

Mental health and suicide prevention services.

Information to be provided to students, §6-60-112.

Mergers, §6-60-102.

Community colleges, control of following merger, §6-61-520.

Michael Lawdon Branscum act.

Posthumous college degrees, §6-61-138.

Military affairs.

Military training property and equipment.

Contracts for, §6-62-102.

Prisoners of war or persons missing or killed in action.

Tuition.

Free tuition and fees for dependents, §6-82-601.

Students or spouses of students called into military service, §6-61-112.

Tuition.

In-state tuition for veterans, military personnel and dependents, §6-60-205.

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents, §6-82-601.

Minority scholarship or grant program.

Annual review, §6-82-102.

Minors.

Improvement districts.

Assessments.

Actions to enforce lien.

Notice by publication for owners under a disability, §6-71-137.

Missing in action.

Tuition.

Free tuition and fees for dependents of persons missing or killed in action, §6-82-601.

COLLEGES AND UNIVERSITIES

—Cont'd

Mortgages and deeds of trust.

Transfer and lease of state university property.

Right to mortgage or encumber property, §6-62-607.

National anthem.

Star-Spangled Banner act.

Playing of national anthem at schools and school-sanctioned sporting events, §6-60-116.

National center for toxicological research.

Employees.

Higher education expenditure restrictions.

Special authorization and contracts, §6-63-311.

National guard.

Participants in the tuition assistance plan.

Tuition waiver for soldiers and airmen, §6-60-211.

Tuition.

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents, §6-82-601.

National park college.

General provisions, §§6-58-101 to 6-58-113.

Nonresidents.

Admission.

Regulation of admission and enrollment, §6-60-201.

Improvement districts.

Assessments.

Actions to enforce lien.

Publication of notice where owners nonresidents, §6-71-137.

Notice.

Buildings.

Bond issues.

Commission on coordination of higher education finance, §6-62-306.

Clean air on campus.

Prohibition on smoking communicated by means of "no smoking" signs, §6-60-805.

Improvement districts.

Assessments, §§6-71-107, 6-71-113.

Actions to enforce lien.

Publication of notice where owners are nonresidents, infants or persons under a disability, §6-71-137.

COLLEGES AND UNIVERSITIES

—Cont'd

Notice —Cont'd

Improvement districts —Cont'd

Assessments —Cont'd

Publication of notice for collection, §6-71-117.

Sale of property to enforce lien, §6-71-128.

Public notice of passage of chapter, §6-71-105.

Real property.

Petition to acquire private property, §6-71-140.

Numbering of courses.

Common course numbering system, §§6-61-1401 to 6-61-1407.

Oaths.

Improvement districts.

Assessors, §6-71-107.

Commissioners, §6-71-104.

Off-campus enrollments, §6-60-203.**Office of accountability.**

Created, §6-61-902.

Declaration of purpose, §6-61-901.

Functions, §6-61-902.

Purpose, §6-61-901.

Online, degree-offering institutions.

National guard, tuition benefits, §6-60-214.

Out-of-state tuition, §6-82-103.**Panic button alert system to contact 911, §6-61-140.****Peace officers.**

Scholarships for children of peace officers, §§6-82-501 to 6-82-507.

Peer review project teams.

Course review, §6-61-226.

Penalties.

Higher education expenditure restrictions.

Salary restrictions, §6-63-307.

Improvement districts.

Assessments.

Delinquencies, §6-71-118.

Incorporation.

Violations of provisions, §6-61-301.

Personnel.

Board of higher education.

Policies and administration, §6-61-214.

Petitions.

Improvement districts.

Approval of chapter.

Petition method, §6-71-105.

Planning.

Board of higher education.

Master plan, §6-61-205.

COLLEGES AND UNIVERSITIES

—Cont'd

Planning —Cont'd

Board of higher education —Cont'd

Review of programs, §6-61-207.

Studies, surveys and evaluations,
§6-61-206.Encouragement of participation by
private institutions, §6-61-305.**Police corps program**, §§6-82-1201 to
6-82-1206.**Posthumous degrees**, §6-61-138.**Postsecondary feedback of
information to high schools**,
§6-15-2401.**Pregnancy.**Unplanned pregnancies action plan,
§6-60-106.**Presidents of universities.**Contract for employment of president
or chancellor, §6-60-114.

Housing allowance, §6-62-108.

Prisoners of war.

Tuition.

Free tuition and fees for dependents,
§6-82-601.**Privacy policy.**

Electronic communications, §6-61-126.

**Private outside work using campus
facilities.**Authorization of employees of
institutions.

Findings, §6-62-401.

Charge for use of facilities, §6-62-401.

Findings, §6-62-401.

Publicity and advertising to show that
institution and state not
contractually obligated, §6-62-401.

Reports.

Financial reports, §6-62-401.

Written permission, §6-62-401.

Productivity-based funding model,
§6-61-234.**Professional development.**

Child maltreatment.

Recognition, legal requirements,
§6-61-133.**Professional schools.**Tuition assistance for residents
attending certain out of state
schools, §6-81-1101.Repayment of tuition paid by state,
§§6-81-1103, 6-81-1104.**Program transfers**, §6-61-104.**Prosecuting attorneys.**

Eminent domain.

Legal representation of board,
§6-62-201.**COLLEGES AND UNIVERSITIES**

—Cont'd

Publication.

Improvement districts.

Assessments.

Actions to enforce lien.

Notice published where owners
are nonresidents or persons
under a disability,
§6-71-137.

Notice for collection, §6-71-117.

Racial minorities.

Charters, bylaws or rules.

Removal of unconstitutional or
illegal references to race,
§6-61-113.Higher education minority retention
programs, §6-61-122.

Minority defined, §6-61-121.

Reporting minority enrollment,
§6-61-124.**Real property.**

Improvement districts.

Defined, §6-71-101.

Petition to acquire private property.
Contents, §6-71-140.

Damages.

Deposit to cover damages prior
to determination, §6-71-140.

Determination, §6-71-140.

Payment, §6-71-140.

Deposit to cover damages prior to
determination, §6-71-140.Entry on land after deposit,
§6-71-140.

Jury trial, §6-71-140.

Power to hold and acquire,
§6-71-139.**Recordation.**Trust conveyances to state for higher
learning institutions, §6-62-503.**Records.**Emergency or security records or
information.Records exempt from freedom of
information disclosure,
§6-61-139.**Religion.**

Immunization of enrollees.

Religious objections, §6-60-504.

Teachers.

Religious clothing.

Authorized to wear, §6-63-101.

Remedial courses.Reduction of state funds expended on
remediation, §6-62-107.Reporting of graduates requiring
postsecondary remediation,
§6-61-221.

COLLEGES AND UNIVERSITIES

—Cont'd

Remedial courses —Cont'd

Testing of entering freshman for,
§6-61-110.

Reports.

Athletic expenditures and revenues.

Uniform reporting, §6-62-106.

Athletic programs.

Expenditures, §6-62-807.

Comprehensive Arkansas higher
education annual report,
§§6-60-701 to 6-60-705.

Contents of report, §6-60-703.

Information for report directed to
division of higher education,
§6-60-704.

Interim and other additional reports
permissible under provisions,
§6-60-705.

Legislative intent, §6-60-702.

Reports making up comprehensive
report, §6-60-703.

Responsibility for report, §6-60-703.

Submission to legislature and
governor, §6-60-703.

Title of act, §6-60-701.

Employees.

Higher education expenditure
restrictions.

Administrators.

Salaries, reporting, §6-63-316.

Transfers of appropriations from
contingency appropriation.

Monthly reports, §6-63-312.

Financial condition report, §6-61-222.

Graduates requiring postsecondary
remediation, §6-61-221.

Minority enrollment, §6-61-124.

Private outside work using campus
facilities.

Financial reports, §6-62-401.

Remediation cost for academic year.

Required as condition for receiving
state funds, §6-62-107.

Research development.

Administration of program, §6-61-803.

Citation of subchapter, §6-61-801.

Creation of program, §6-61-803.

Funds.

Applications for funds, §6-61-808.

Uses, §6-61-807.

Legislative intent, §6-61-802.

Purpose of subchapter, §6-61-802.

Short title of subchapter, §6-61-801.

Residents, §6-60-210.**COLLEGES AND UNIVERSITIES**

—Cont'd

Retention.

Rate information, §6-61-220.

Higher education consumer guide,
§6-61-1703.

**Review of existing programs of
higher education.**

Division of higher education,
§6-61-304.

Rich Mountain community college,
§§6-61-701 to 6-61-708.**Rules.**

Athletic programs, §6-62-806.

Expansion of institutions, §6-61-303.

Immunization of enrollees.

Authority of state board of health to
adopt rules, §6-60-503.

Enforcement of rules, §6-60-503.

Improvement districts.

Commissioners, §6-71-104.

Race.

Unconstitutional or illegal
references to race.

Removal, §6-61-113.

Scholarships.

Peace officers, firefighters, teachers
and certain state employees,
§6-82-502.

Tuition.

Prisoners of war or persons missing
or killed in action.

Free tuition and fees, §6-82-601.

Salaries.

Employees.

Insurance.

Deductions for group insurance
premiums, §6-63-102.

Private contributors.

Increase in maximum authorized
compensation level.

Authorization, §6-62-103.

Purposes of act, §6-62-103.

Qualifications of individual to
receive payments, §6-62-103.

Savings bonds, §§6-62-701 to 6-62-726.

Amount of principal, §6-62-708.

Amount outstanding, §6-62-707.

Arkansas development finance
authority.

Definition of "authority," §6-62-703.

Marketing strategies.

Development, §6-62-706.

Powers and duties, §6-62-705.

Authority to issue bonds,
§6-62-707.

Duties as to issuance of bonds,
§6-62-709.

COLLEGES AND UNIVERSITIES

—Cont'd

Savings bonds —Cont'dArkansas development finance
authority —Cont'd

Resolutions of authority.

Issuance of bonds, §6-62-714.

Authorized, §6-62-707.

Bond funds, §6-62-719.

Citation of subchapter, §6-62-701.

Conditions and terms.

Generally, §6-62-712.

Series bonds, §6-62-713.

Construction of subchapter, §6-62-704.

Debt service reserve fund, §6-62-719.

Declaration of public necessity,
§6-62-702.

Definitions, §6-62-703.

Deposit of proceeds, §6-62-723.

Disbursement of funds, §6-62-724.

Employment of administrative agents,
fiscal agent and legal counsel,
§6-62-717.

Execution, §6-62-716.

Financial aid or assistance, §6-62-706.

Financial incentives, §6-62-710.

Financial resources, §6-62-706.

General obligations, §6-62-718.

Incentives.

Financial incentives, §6-62-710.

Investments, §6-62-724.

Legal investments, §6-62-720.

Judicial review, §6-62-725.

Priority, §6-62-725.

Legislative findings, §6-62-702.

Liabilities and rights, §§6-62-721,
6-62-722.

Marketing strategies.

Development by authority,
§6-62-706.

Payment, §6-62-719.

Pledge of revenues, §6-62-718.

Principal amount, §6-62-708.

Projects.

Selection, §6-62-714.

Purposes, §6-62-711.

Refunding bonds, §6-62-715.

Rights and liabilities, §§6-62-721,
6-62-722.

Rules, §6-62-726.

Sale, §6-62-717.

Deposit of proceeds, §6-62-723.

Series bonds.

Terms and conditions, §6-62-713.

State board of higher education.

Powers and duties, §6-62-705.

Issuance of bonds, §6-62-709.

Tax exemption, §6-62-720.

COLLEGES AND UNIVERSITIES

—Cont'd

Savings bonds —Cont'd

Terms and conditions.

Generally, §6-62-712.

Series bonds, §6-62-713.

Title of subchapter, §6-62-701.

Trust indentures, §6-62-714.

Scholarships.Academic and performance
scholarships.Limitations on expenditures for,
§6-80-106.Academic challenge scholarship
program, §§6-85-201 to 6-85-221.Academic support scholarship,
§6-82-108.Administration by division of higher
education, §6-82-105.Arkansas future grant program,
§§6-82-1801 to 6-82-1805.Criminal conviction, effect on
eligibility, §6-82-107.Critical needs minority teacher
scholarship program, §§6-82-1501
to 6-82-1506.Governor's scholars program,
§§6-82-301 to 6-82-314.Lottery-funded scholarships, procedure
for creating or amending,
§§6-85-501 to 6-85-503.Minority scholarship or grant
programs.

Annual review, §6-82-102.

Peace officers, firefighters, teachers
and certain state employees.Age limit for scholarships,
§6-82-505.

Application for benefits.

Written application, §6-82-506.

Awards to children, §6-82-504.

Conditions for continued eligibility,
§6-82-507.

Definitions, §6-82-501.

Entitlement, §6-82-503.

Age limit, §6-82-505.

Renewal of scholarship.

Conditions for continued
eligibility, §6-82-507.

Rules, §6-82-502.

Self-inflicted injuries.

Benefits not to accrue, §6-82-503.

Spouses.

Remarriage, §6-82-505.

Written application for benefits,
§6-82-506.

COLLEGES AND UNIVERSITIES

—Cont'd

Scholarships —Cont'd

Police corps program, §§6-82-1201 to 6-82-1206.

Criminal justice department as lead agency, §§6-82-1205, 6-82-1206.

Policy academy internship in Washington, D.C.

Award of scholarship to students accepted, §6-82-106.

Residents, §6-60-210.

Selective service act.

Compliance with required, §6-80-102.

Teachers.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

Scholarships for teachers in high-needs subject areas, §6-82-1901.

University assisted teacher recruitment and retention grant program, §6-81-1301.

Science degrees.

Associate of applied science degrees.

Mathematics requirement, §6-61-134.

Secondhand smoke.

Clean air on campus, §§6-60-801 to 6-60-807.

Selective service act.

Compliance with required, §6-80-102.

Registration, §6-80-104.

Semester hours required for degree, §6-61-232.**Senior citizens.**

Waiver of general student fee charges, §6-60-204.

Service of process.

Improvement districts.

Constructive service in actions to enforce liens, §6-71-124.

Sexual assault action plan to address prevention of sexual assault, §6-60-111.**Sick leave for employees.**

Catastrophic leave bank program, §§6-63-601, 6-63-602.

Sign language.

American sign language as foreign language, §6-61-125.

Signs.

Clean air on campus.

Prohibition of smoking.

Notice by means of "no smoking" signs, §6-60-805.

COLLEGES AND UNIVERSITIES

—Cont'd

Smoking.

Clean air on campus, §§6-60-801 to 6-60-807.

Social media accounts of current or prospective students and employees.

Restrictions on use by institution of higher education, §6-60-104.

Social security number.

Restrictions, §6-61-128.

Student or employee identification cards, §6-61-126.

Solvency of institution.

Annual certification of solvency, §6-62-109.

Southern Arkansas university.

Generally, §§6-65-401 to 6-65-413.

Southern regional education compact.

Board.

Contracts and cooperation with board, §6-61-402.

Star-Spangled Banner act.

Playing of national anthem at schools and school-sanctioned sporting events, §6-60-116.

Student-athletes.

Fairness in women's sports act.

School sports teams to be based on biological sex, §6-1-107.

Student data files, database for, §§6-60-901 to 6-60-903.**Student enrollee.**

Immunization, §§6-60-501 to 6-60-504.

Student identification badges.

Hotlines and other information to be included, §6-60-118.

Student incentive grant program, §6-61-401.**Student journalists, freedom of expression, §§6-60-1101 to 6-60-1103.**

Definitions, §6-60-1101.

Prohibited activities or expression, §6-60-1103.

Protected activities, §6-60-1102.

Right of expression generally, §6-60-1102.

Students or spouses of students called into military service, §6-61-112.**Student's social media account.**

Restrictions on use by institution of higher education, §6-60-104.

Suicide prevention services.

Information to be provided to students, §6-60-112.

COLLEGES AND UNIVERSITIES

—Cont'd

Summons and process.

Improvement district assessments.

Liens, actions to enforce, §6-71-123.

Supreme court.

Improvement district assessments.

Actions to enforce lien.

Appeals to supreme court,
§6-71-136.**Taxation.**Higher education technology and
facility improvement.

Tax exemption of bonds, §6-62-1117.

Trust conveyances to state for higher
learning institutions.

Exemption from tax, §6-62-506.

Teachers.Highly qualified professional and
teacher act.License for university professor or
assistant professor, §6-63-105.

Religious clothing.

Authorized to wear, §6-63-101.

Scholarships for teachers in
high-needs subject areas,
§6-82-1901.

Student teachers.

Contracts, §6-17-305.

Technical colleges.Arkansas State University Three
Rivers, §§6-54-101 to 6-54-104.Bond issues for capital improvements,
§§6-61-1001 to 6-61-1014.Postsecondary vocational and technical
education.Technical colleges generally,
§§6-53-301 to 6-53-308.Technical college districts, §§6-53-601
to 6-53-605.**Textbooks and course materials,**

§§6-60-601 to 6-60-605.

Campus bookstore advertising,
§6-60-605.Distribution of lists to students,
§6-60-601.Inducements to require certain
materials prohibited, §6-60-602.Royalties received by faculty members,
§6-60-604.

Website linking policies, §6-60-603.

Transfer and lease of property.

Affidavits.

Appraisers, §6-62-610.

Agreement for transfer and lease,
§6-62-611.

Appraisers.

Affidavit, §6-62-610.

COLLEGES AND UNIVERSITIES

—Cont'd

Transfer and lease of property

—Cont'd

Appraisers —Cont'd

Compensation, §6-62-610.

Determination of market value and
fair market rental, §6-62-610.

Authorized, §6-62-602.

Bank funds.

Defined, §6-62-601.

Money received as consideration
declared bank funds, §6-62-613.

Board.

Authority to transfer and lease
property, §6-62-602.

Defined, §6-62-601.

Execution of contracts, §6-62-605.

Personal liability under lease
agreement, §6-62-612.

Resolution authorizing, §6-62-608.

Building authority division.

Review by, §6-62-606.

Building permits.

Exemption from compliance with
laws, §6-62-606.

Consideration, §6-62-613.

Contracts.

Execution of contracts, §6-62-605.

Conveyances.

Instruments of conveyance,
§6-62-611.

Credit.

Terms of transfer, §6-62-609.

Defaults.

Right to cure default, §6-62-607.

Definitions, §6-62-601.

Encumbrances.

Right to mortgage or encumber
property, §6-62-607.

Fair market value.

Determination, §6-62-610.

Insurance.

Title insurance, §6-62-611.

Investments.

Money received as consideration for
transfer, §6-62-613.

Lease agreement.

Board's obligations under
agreement, §6-62-612.

Defined, §6-62-601.

Options, §6-62-612.

Repurchase of property, §6-62-612.

Right of first refusal, §6-62-612.

Liability.

Personal liability of members of
board under lease agreement,
§6-62-612.

COLLEGES AND UNIVERSITIES

—Cont'd

Transfer and lease of property

—Cont'd

Money received as consideration for transfer, §6-62-613.

Mortgages and deeds of trust.

Right to mortgage or encumber property, §6-62-607.

Negotiations with potential owners, §6-62-609.

Owners.

Defined, §6-62-601.

Negotiations with potential owners, §6-62-609.

Price.

Terms of transfer, §6-62-609.

Property.

Defined, §6-62-601.

Repurchase of property.

Lease agreement, §6-62-612.

Resolution authorizing, §6-62-608.

Terms of transfer, §6-62-609.

Title insurance, §6-62-611.

Zoning.

Exemption from compliance with laws, §6-62-606.

Transfer credit.

Advice on transferability of coursework, §6-61-132.

Reports concerning requests for, §6-61-227.

Transfer of credits.

Statewide transfer agreement, §6-61-231.

Transfer of programs, §6-61-104.**Transfer students.**

Board of higher education.

Policies for, §6-61-216.

Trusts and trustees.

Board of higher education.

Administration of trusts and endowments, §6-61-213.

Conveyances to state for higher learning institutions.

Administration by board of institutions, §6-62-503.

Authorized, §6-62-502.

Definitions, §6-62-501.

Discharge of encumbrances only from funds of property, §6-62-504.

Fee simple title subject to encumbrances, §6-62-504.

Income from property.

Deposit for benefit of institution.

Separate deposit, §6-62-507.

COLLEGES AND UNIVERSITIES

—Cont'd

Trusts and trustees —Cont'd

Conveyances to state for higher learning institutions —Cont'd

Income from property —Cont'd

No charge of income against appropriations, §6-62-507.

Manner of dealing with property, §6-62-505.

Recordation, §6-62-503.

Tax exemption, §6-62-506.

Tuition.

Accounts receivable policies of state-supported institutions of higher education, §6-61-131.

Board of higher education.

Reporting on student tuition and mandatory fees, §6-61-215.

Brighter future fund plan act, §§6-84-101 to 6-84-114.

Dental student in out-of-state professional programs.

Repayment of tuition by state of Arkansas, §§6-81-1103, 6-81-1104.

Higher education consumer guide, §6-61-1703.

Information to be made available by division of higher education, §§6-60-1301 to 6-60-1305.

Military affairs.

In-state tuition for veterans, military personnel and dependents, §6-60-205.

National guard, tuition benefits, §6-60-214.

Nontraditional documented immigrants, classification as in-state, §6-60-215.

Out-of-state tuition, §6-82-103.

Police officers, reduction in tuition, §6-60-213.

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents.

Allowance, §6-82-601.

Definitions, §6-82-601.

Rules, §6-82-601.

Professional schools.

Tuition assistance for students attending certain out of state professional schools, §6-81-1101.

Repayment of tuition paid by state, §§6-81-1103, 6-81-1104.

Veterinary medicine students, loan assistance program, §§6-81-1105, 6-81-1106.

COLLEGES AND UNIVERSITIES

—Cont'd

United States.

Commission on coordination of higher education finance.

Designation of commission as state agency for grant under federal act, §6-62-313.

Higher education facilities act of 1963.

Commission on coordination of higher education finance.

Designation as state agency for grant under act, §6-62-313.

Liberal construction of act, §6-62-313.

Participation plan for federal grant, §6-62-313.

University of Arkansas, §§6-64-101 to 6-64-1013.

University of Central Arkansas, §§6-67-101 to 6-67-114.

Unplanned pregnancies action plan, §6-60-106.

Veterinary medicine students, loan assistance program, §§6-81-1105, 6-81-1106.

Vocational education and rehabilitation.

Postsecondary vocational and technical education.

Generally, §§6-51-901 to 6-51-907.

Reorganization act of 1991.

Generally, §§6-53-101 to 6-53-505.

Warrants for the payment of money.

Improvement districts.

Assessments.

Collection of assessments, §6-71-116.

Water supply and waterworks.

Sale of water by state institutions of higher learning.

Prohibited, §6-62-101.

Void contracts, §6-62-101.

Workers' compensation, §§6-62-1001 to 6-62-1004.

Coverage required, §6-62-1001.

Election to provide coverage through claims division, §6-62-1004.

Election to provide self-funded coverage, §6-62-1002.

Private, municipal or self-funded coverage, §6-62-1003.

Workforce challenge scholarship program, §§6-85-301 to 6-85-307.

Workforce initiative funding priorities, §6-60-107.

COLLEGES AND UNIVERSITIES

—Cont'd

Workforce services division.

Employment and earning outcomes for degrees and certificates at institutions of higher education and state-supported technical institutes, §6-60-105.

COLLEGE SAVINGS PLAN.

Brighter future fund plan act, §§6-84-101 to 6-84-114.

COMMISSION FOR ARKANSAS PUBLIC SCHOOL ACADEMIC FACILITIES AND TRANSPORTATION, §§6-11-116, 6-21-114.

COMMUNICABLE DISEASES.**Schools and education.**

Procedures and staff training as to health and safety conditions, §6-18-708.

COMMUNITY COLLEGES.**Accreditation.**

Reorganization act of 1991.

Interim accreditation, §6-53-209.

Activity fees, §6-61-523.**Adult education.**

Arkansas workforce challenge scholarship program, §§6-85-301 to 6-85-307.

Audit of educational institutions, §6-1-101.

Authorization for establishment, §6-61-502.

Blind and visually impaired.

Reorganization act of 1991.

Licensed blind vendors, §6-53-106.

Bond issues.

Capital improvements.

Generally, §§6-61-1001 to 6-61-1014.

Budgets.

General operations, §6-61-601.

Capital improvements.

Bond issues, §§6-61-1001 to 6-61-1014.

Capital outlays.

Generally, §6-61-603.

Reorganization act of 1991, §6-53-207.

Colleges and universities.

Agreements for sharing facilities, personnel and services, §6-61-524.

Community college without walls.

Housing allowance for president of college, §6-61-525.

Contracts.

Sharing of facilities, personnel and services, §6-61-524.

COMMUNITY COLLEGES —Cont'd**Credits.**

Transfer of credits.

Statewide transfer agreement,
§6-61-231.

Definitions, §6-61-501.

Reorganization act of 1991, §6-53-103.

Tech-prep education, §6-53-501.

Districts.

Defined, §6-61-501.

Dissolution, §6-61-519.

Elections.

Formation of districts.

Ballot, §6-61-513.

Conduct of election, §6-61-514.

Date, §6-61-512.

Notification to county board of
election commissioners,
§6-61-511.

Petition, §6-61-510.

Reconstituted districts,
§§6-61-516, 6-61-518.

Results, §6-61-515.

Formation.**Election.**

Reconstituted districts,
§§6-61-516, 6-61-518.

Feasibility study, §6-61-507.

Minimum requirements, §6-61-508.

Limitation on number, §6-61-509.

Minimum requirements for
establishment, §6-61-508.

Number.

Limitation, §6-61-509.

Reconstituted districts.

Elections on establishment,
§§6-61-516, 6-61-518.

Taxation.

Ad valorem taxes, §6-61-517.

Reduction or repeal, §6-61-519.

East Arkansas community college.

Housing allowance for president of
college, §6-61-525.

Elections.**Districts.**

Formation of districts, §§6-61-510 to
6-61-516.

Local boards.

Members, §6-61-520.

Millage taxes, §6-61-522.

Electronic communications.

Privacy policy, §6-61-126.

Equipment pools.

Reorganization act of 1991, §6-53-206.

Establishment.

Authority, §6-61-502.

Federal aid.

State community college board.

Administration of funds, §6-61-506.

COMMUNITY COLLEGES —Cont'd**Fees.**

Activity fees, §6-61-523.

Motor vehicles used by schools exempt
from taxes and license fees,
§6-51-101.

Student fees, §6-61-523.

Finance.**Budgets.**

General operations, §6-61-601.

Capital outlays.

Generally, §6-61-603.

Sources of funds, §6-61-603.

Expenditures in excess of state funds
provided, §6-61-522.

General operations.

Budgets, §6-61-601.

State funds, §6-61-601.

Taxation.

Millage taxes, §6-61-602.

Garland county community college.

Housing allowance for president of
college, §6-61-525.

Housing allowance for presidents,

§§6-61-521, 6-61-525.

Identification cards.

Student or employee identification
cards.

Prohibited use of social security
number, §6-61-128.

Illiteracy.

Reorganization act of 1991.

Coordination with secondary
vocational-technical education
and literacy programs,
§6-53-306.

Junior colleges.

Division of community junior colleges.

Creation, §6-61-504.

Licenses.

Motor vehicles used by schools exempt
from license fees, §6-51-101.

Limitation on operation, §6-61-522.**Local boards.**

Appointment or election of members.

Resolution, §6-61-529.

Composition, §6-61-520.

Defined, §6-61-501.

Duties, §6-61-521.

Election of members, §6-61-520.

Resolution for appointment or
election of members, §6-61-529.

Powers, §6-61-521.

Purchases from board members and
employees, §6-61-613.

Rules, §6-61-521.

School district representation,
§6-61-530.

COMMUNITY COLLEGES —Cont'd**Local boards —Cont'd**

Terms of members, §6-61-520.

Vacancies, §6-61-520.

Merger with four-year institution.

Control of community college,
§6-61-520.

Mississippi county community college.

Housing allowance for president of college, §6-61-525.

University center, §6-61-528.

Motor vehicles.

Exemption from taxes and license fees,
§6-51-101.

Registration of vehicles used for school purposes, §6-51-101.

National guard.

Participants in the tuition assistance plan.

Tuition waiver for soldiers and airmen, §6-60-211.

National park college, §§6-58-101 to 6-58-113.**North Arkansas community college.**

Housing allowance for president of college, §6-61-525.

Northwest Arkansas community college.

Housing allowance for president of college, §6-61-525.

Operations.

Limitations on operation, §6-61-522.

Phillips county community college.

Housing allowance for president of college, §6-61-525.

Presidents.

Housing allowance for presidents of certain colleges, §6-61-525.

Reorganization act of 1991, §6-53-303.

Privacy policy.

Electronic communications, §6-61-126.

Purchases from employees,

§6-61-613.

Purchasing.

Purchases from board members and employees, §6-61-613.

Registration of motor vehicles.

Vehicles used for school purposes,
§6-51-101.

Reorganization act of 1991.

Accreditation.

Interim accreditation, §6-53-209.

Administration of courses, programs and institutions.

Generally, §6-53-201.

Interim governance, §6-53-209.

COMMUNITY COLLEGES —Cont'd
Reorganization act of 1991 —Cont'd

Blind vendors who are licensed,
§6-53-106.

Capital outlays, §6-53-207.

Conversions and consolidations.

Consolidation procedure, §6-53-405.

Coordination with institutional boards of trustees, §6-53-401.

Effect of conversion on employees and directors, §6-53-107.

Technical colleges.

Acceptance as branch campus of community college, §6-53-404.

Conversion of two-year branches to technical colleges,
§6-53-402.

Conversion to community college,
§6-53-403.

Two-year branches.

Conversion to community college,
§6-53-403.

Conversion to technical colleges,
§6-53-402.

Coordination with secondary vocational-technical education and literacy programs, §6-53-306.

Definitions, §6-53-103.

Tech-prep education, §6-53-501.

Effect of chapter on existing law,
§6-53-104.

Equipment pools, §6-53-206.

Funding by state.

Withdrawal or withholding,
§6-53-105.

Illiteracy.

Coordination with secondary vocational-technical education and literacy programs,
§6-53-306.

Interim accreditation and governance,
§6-53-209.

Presidents, §6-53-303.

Purpose of chapter, §6-53-102.

State board of higher education.

Duties, §6-53-203.

Powers, §6-53-203.

Technical colleges designated part of system, §6-53-301.

Local board administration,
§§6-53-301, 6-53-302.

Tech-prep education.

Definitions, §6-53-501.

Federal funds.

Designation of state agency to receive, §6-53-505.

Generally, §6-53-501.

COMMUNITY COLLEGES —Cont'd **Reorganization act of 1991 —Cont'd**

Tech-prep education —Cont'd

Grants for tech-prep education.

Applications, §6-53-503.

Factors considered in approving,
§6-53-504.

Title of chapter, §6-53-101.

Transfer programs.

Approval of programs, §6-53-205.

Transfers to system after July 1, 1991,
§6-53-210.

Transportation of students, §6-53-305.

Tuition and fees, §6-53-304.

Resolutions.

Appointment or election of members,
§6-61-529.

Rich Mountain community college,
§§6-61-701 to 6-61-708.

Rules.

Local boards, §6-61-521.

Satellite campuses.

County support, §6-53-307.

Social security number.

Student or employee identification
cards, §6-61-126.

South Arkansas community college.

Housing allowance for president,
§6-61-525.

State community college board,
§6-61-501.

Defined, §6-61-501.

Duties, §6-61-505.

Administration of funds, §6-61-506.

Powers, §6-61-505.

Student fees, §6-61-523.

Taxation.

Districts.

Ad valorem taxes, §6-61-517.

Reduction or repeal, §6-61-519.

General operations.

Millage taxes, §6-61-602.

Millage tax, §6-61-503.

Motor vehicles used by schools exempt
from taxes, §6-51-101.

Tech-prep education.

Definitions, §6-53-501.

Federal funds.

Designation of state agency to
receive, §6-53-505.

Generally, §6-53-501.

Grants for tech-prep education.

Applications, §6-53-503.

Factors considered in approving,
§6-53-504.

Transfer of credits.

Statewide transfer agreement,
§6-61-231.

COMMUNITY COLLEGES —Cont'd **Transfer programs.**

Approval of programs, §6-53-205.

Transportation of students,
§6-53-305.

Tuition, §6-53-304.

COMMUNITY COLLEGE WITHOUT WALLS.

President.

Housing allowance, §6-61-525.

**COMMUNITY SCHOOLS, §§6-15-3001
to 6-15-3003.**

**Charter school designation as
community school, §6-23-109.**

Definitions, §6-15-3002.

**Division of elementary and
secondary education, services,**
§6-15-3003.

Title of provisions, §6-15-3001.

COMMUNITY SERVICES ADMINISTRATION.

**Academic credit for community
service, §6-16-120.**

COMPACTS.

Education.

Educational opportunity for military
children, §§6-4-301 to 6-4-307.

Southern regional education compact,
§§6-4-101 to 6-4-107.

**Southern regional education
compact, §§6-4-101 to 6-4-107.**

COMPULSORY SCHOOL

**ATTENDANCE, §§6-18-201 to
6-18-233.**

Absences.

Additional absences, granting.

FFA and 4-H program participation,
§6-18-220.

Effect of excessive absences, §6-18-209.

Effect of unexcused absences.

Revocation of driving privileges,
§6-18-222.

Military child school transitions act of
2021 for students changing school
districts.

Excused absences, additional,
§6-28-114.

Transfer of family in need of services
case, student moved to another
judicial district, §6-18-222.

**Adoption of student attendance
policies, §6-18-209.**

Age.

Students permitted to attend schools,
§6-18-202.

COMPULSORY SCHOOL**ATTENDANCE —Cont'd**

Attending classes and programs not offered at assigned school,
§6-18-228.

Basic record of student attendance, contents, §6-18-213.

Census of enrollment, §6-18-215.

Choice of district.

District other than residential district,
§6-18-203.

Choice of school based on performance levels, §6-18-227.

Community truancy board,
§§6-18-225, 6-18-226.

Consolidated districts.

Attending classes and programs not offered at assigned school,
§6-18-228.

Construction of act, §6-18-213.

Dismissal of or dropping student from attendance records.

Absence for more than 10 consecutive days, §6-18-213.

District other than residential district, §6-18-203.

Driving privileges.

Suspension for unexcused absences,
§6-18-222.

Dropout rates, determining,
§6-18-215.

Exception to compulsory attendance, §6-18-201.

FHA.

Equal treatment with FFA member students, §6-18-220.

Excused absences for FHA students,
§6-18-220.

Financial aid.

Attendance as official data for minimum foundation aid and transportation aid, §6-18-213.

Fines.

Collection of fines under act,
§6-10-103.

Forms, §6-18-213.

Foster children.

Enrollment in school district, placement outside boundaries of district, §6-18-202.

School choice for children in foster care, §6-18-233.

4-H programs.

Legislative intent and purpose,
§6-18-220.

Generally, §6-18-201.

COMPULSORY SCHOOL**ATTENDANCE —Cont'd****Home school students.**

Enrollment in course at public school or public charter school,
§6-18-232.

Immunization.

Required for children admitted to public schools, §6-18-702.

Inspection of attendance records by department.

Verification of correct and accurate reporting, §6-18-213.

Law enforcement officials.

Operation stay in school, §6-18-221.

Military deployment or relocation of parent or guardian.

District other than residential district,
§6-18-203.

Military child school transitions act of 2021 for students changing school districts.

Excused absences, additional,
§6-28-114.

Motor vehicles.

Unexcused absences.

Suspension of driving privileges,
§6-18-222.

National guard.

Additional absences to complete basic combat training, §6-18-231.

Notice of unexcused absence,
§6-18-222.

Official reporting period, §6-18-213.

Operation stay in school.

Implementation of program.

Cooperation of law enforcement agencies, §6-18-221.

Pages for general assembly during legislative session.

Considered on instructional assignment, not considered absent, §6-18-229.

Penalties.

False attendance reports, §6-18-219.
Unexcused absences, §6-18-222.

Private school students.

Enrollment in course at public school or public charter school,
§6-18-232.

Procedure to handle unexcused absences, §6-18-222.

Prosecuting attorneys.

Prosecution of violators, §6-10-104.

Prosecutions, §6-10-103.

Records.

Manner of keeping attendance records,
§6-18-213.

COMPULSORY SCHOOL**ATTENDANCE —Cont'd****Records —Cont'd**

Teachers to maintain records,
§6-18-217.

Reports.

Failure to file report, §6-18-213.
False attendance reports, §6-18-219.
Penalty, §6-18-219.
Filing report on attendance, §6-18-213.
Official reporting period for
attendance, §6-18-213.

Residence.

Dependents of military members,
§6-18-202.
District other than residential district,
§6-18-203.
Students permitted to attend schools,
§6-18-202.

Rules.

Promulgation, §6-18-213.

School districts.

Attendance in another district,
§§6-18-204, 6-18-205.
Correction division employees' children
or wards.
Transfers of employees among units.
Impact on children's or ward's
attendance in district
enrolled, §6-18-203.

School performance report act,

§§6-15-1401, 6-15-1402.

Separate domicile for school

attendance purposes, §6-18-202.

Student resident of another district.

District illegally admitting, §6-18-202.
Foster care, school choice for children
in, §6-18-233.

**Students in one district attending
school in another district.**

Construction of act, §6-18-204.
Counting of attendance for aid
purposes, §6-18-204.
Eligibility for inter-school activities,
§6-18-204.
Enrollment, §6-18-204.
Inter-school activities.
Eligibility, §6-18-204.

Truancy.

Additional truancy officers for school
district with high dropout rate.
Funding, §6-11-209.
Excessive absences.
Effect, §6-18-209.
Prosecutors, §§6-10-103, 6-10-104.
Unexcused absences.
Revocation or suspension of driving
privilege, §6-18-222.

COMPULSORY SCHOOL**ATTENDANCE —Cont'd****Tuition agreements with
nonresident district.**

Students participating in, §6-18-202.

Unexcused absences.

Penalties, §6-18-222.

Virtual or remote learning.

Driving privileges, suspension for
unexcused absences, §6-18-222.
Policy for how attendance records to
be kept, §6-18-213.

COMPUTERS AND SOFTWARE.**Colleges and universities.**

Defined, §6-61-101.
Electronic communications privacy,
§6-61-126.

School courses of study.

Computer science, §6-16-147.
High school graduation requirement,
computer science course credit,
§6-16-152.

**School discipline policy and
exemptions concerning
possession and use by students.**

Personal electronic devices.
School district may establish,
§6-18-515.

CONCUSSIONS.**Physical activity in schools.**

Procedures and staff training as to
health and safety conditions,
§6-18-708.

Youth athletic activities.

Development of concussion protocols,
§6-18-710.

**CONFIDENTIALITY OF
INFORMATION.****Disabilities, children with.**

Education funds for children with
disabilities or foster children.
Records and files, §6-20-510.
Tests and evaluation results of
exceptional children, §§6-41-210,
6-41-218.

Education.

Education funds for children with
disabilities or foster children.
Confidentiality of records and files,
§6-20-510.

Ethics.

Disclosure of confidential
information, §6-24-104.
Tests and evaluations results.
Children with disabilities,
§§6-41-210, 6-41-218.

CONFIDENTIALITY OF INFORMATION —Cont'd**Teachers.**

Criminal history background checks,
§6-17-410.

CONFLICT OF LAWS.**Education.**

Ethics, §6-24-103.

CONFLICTS OF INTEREST.**Blind and visually impaired.**

School for the Blind.

Board of trustees.

Materials and supplies, §6-43-206.

Employees.

Rules, §6-43-114.

Education.

Commissioner of elementary and
secondary education, §6-11-102.

Educational television.

Commission, §6-3-102.

School districts.

Directors.

Conflict of interest with issue at
meeting, §6-13-619.

CONSERVATION.**Colleges and universities.**

Courses of study, §6-61-107.

CONSTITUTION OF ARKANSAS.**Elections.**

Voter registration.

Verification of voter registration
when voting.

School district elections,
§6-14-123.

CONSTITUTION OF THE UNITED STATES.**Bill of rights.**

Schools, documents permitted to be
read or posted, §6-16-122.

Blind and visually impaired.

School for the Blind.

Copy of constitution presented to
blind pupils, §6-43-219.

Colleges and universities.

Course in United States constitution
required, §6-61-105.

Schools, documents permitted to be read or posted, §6-16-122.**CONSTRUCTION INDUSTRY**

**CRAFT TRAINING, §§6-55-101 to
6-55-108.**

**Arkansas construction industry
craft training trust fund,
§6-55-107.**

Citation of act, §6-55-101.

CONSTRUCTION INDUSTRY**CRAFT TRAINING —Cont'd**

Creation of program, §6-55-103.

Legislative declaration, §6-55-102.

Permits.

Surcharge to fund program, §6-55-106.

Trust fund, §6-55-106.

Planning, §6-55-104.

Purpose of provisions, §6-55-102.

**Requirements for apprenticeship
program, §6-55-106.**

Rules, §6-55-108.

**State apprenticeship coordination
steering committee.**

Planning duties, §6-55-104.

Program plan, §6-55-105.

Rules, §6-55-108.

Title of act, §6-55-101.

CONSTRUCTIVE SERVICE.**Colleges and universities.**

Improvement districts.

Assessment liens.

Actions to enforce.

Notice by constructive service,
§6-71-124.

CONSUMER PROTECTION.**Colleges and universities.**

Higher education consumer guide act,
§§6-61-1701 to 6-61-1703.

Door to door sales.

Elementary school fundraising,
§§6-18-1101 to 6-18-1104.

CONTEMPT.

**Private resident and
correspondence schools,
§6-51-619.**

CONTINUING EDUCATION.

**Teachers' continuing education and
professional development.**

Renewal of license, §6-15-1004.

CONTRACTS.**Breach of contract.**

Teachers.

Districts and officers relieved from
liability, §6-17-803.

Colleges and universities.

Military training property and
equipment, §6-62-102.

Southern regional education compact.
Board.

Cooperation and contracts with
board, §6-61-402.

Transfer and lease of property of state
university.

Execution of contracts, §6-62-605.

CONTRACTS —Cont'd**Community colleges.**

Sharing of facilities, personnel and services, §6-61-524.

Technical colleges, §6-53-302.

Municipal contracts, §6-53-308.

Education.

Children in institutions.

Contracts for educational services, §6-11-120.

Energy savings contracts.

School districts, §6-20-405.

Exceptional children.

Services for exceptional children, §6-41-313.

Local and county boards, §6-41-313.

Military training equipment.

School districts.

Directors.

Power to contract for, §6-21-103.

Personnel policy law for classified employees.

Incorporation into employee contracts, §6-17-2304.

Public-public partnerships.

School districts.

Project delivery method, §6-20-414.

School districts.

Energy savings contracts, §6-20-405.

Joint purchase of surplus government property, §6-13-110.

Military training equipment.

Directors.

Power to contract for, §6-21-103.

Public-public partnerships.

Project delivery method, §6-20-414.

Southern regional education compact.

Out-of-state education, §6-4-105.

State board of education.

Special contracts, §6-11-115.

Superintendents.

Employment of superintendents by contract, §6-17-301.

Traveling teacher program, §6-13-808.

Educational television.

Commission.

Power to contract, §6-3-106.

Energy saving contracts.

School districts, §6-20-405.

Nursing student loan program.

Written loan contract requirement, §6-81-1408.

CONTRACTS —Cont'd**Osteopathic rural medical practice student loans and scholarships.**

Community match contracts with medical school graduates, §6-81-1813.

Contracts with loan applicants, §6-81-1809.

Private resident and**correspondence schools.**

Contracts and promissory notes of unlicensed schools, §6-51-613.

Recovery of tuition, §6-51-613.

Void, §6-51-613.

Public contracts.

Education.

Rulemaking authority, §6-21-109.

School districts.

Rulemaking authority, §6-21-109.

School buses.

Contracts with member of school board.

Null and void, §6-19-102.

Teachers.

Breach of contract.

Districts and officers relieved from liability, §6-17-803.

Coaches, §6-17-301.

Copies, §6-13-620.

Department heads, §6-17-301.

Employment by contract, §6-17-301.

Indefinite teacher employment contracts.

Amount of salary, §6-17-801.

Employment of teacher obligated to another school district.

Liability of hiring district, §6-17-304.

Null and void, §6-17-801.

Other provisions remain effective, §6-17-801.

Vocational agriculture teachers, §6-17-802.

Optional contract for hiring teachers, §6-17-803.

Paying in twelve monthly installments, §6-17-803.

Principals.

Employment of principals by contract, §6-17-301.

Salaries.

Warrants.

Void without contract, §6-17-919.

Student teachers, §6-17-305.

Technical colleges.

Local board, §6-53-302.

Municipal contracts, §6-53-308.

CONTRACTS —Cont'd**University of Arkansas.**

Division of agriculture.

Bureau of research and statistics.

Authority to contract with United States government, §6-64-713.

Research, education and technical extension.

Authority to contract to perform research services, §6-64-905.

Authorization of contracts, §6-64-908.

Technology institute.

Research contracts, §6-64-804.

Vocational education and rehabilitation.

Agriculture teachers.

Twelve month basis of contracts, §6-17-802.

Postsecondary vocational and technical education.

Local board of directors.

Contractual authority, §6-51-904.

Private organizations, §6-50-101.

CONVEYANCES.**Colleges and universities.**

Transfer and lease of state university property.

Instruments of conveyance, §6-62-611.

School districts.

Directors.

Authority to convey section lands, §6-13-621.

COOPERATIVES.**Education.**

Education service cooperatives, §§6-13-1001 to 6-13-1031.

General provisions, §§6-13-901 to 6-13-906.

COPIES.**Education.**

Southern regional education compact.

Engrossed copy furnished states upon approval of requisite number of states, §6-4-103.

CORE CURRICULUM.

Education, §6-18-104.

CORPORAL PUNISHMENT.**Schools.**

Employees' immunity from liability, §6-17-112.

CORPORATIONS.**Alcoholic beverages.**

Educational institutions.

Sales prohibited, §6-2-113.

CORPORATIONS —Cont'd**Bond issues.**

Educational institutions.

Power to borrow for the construction of facilities, §6-2-110.

Charters.

Educational institutions.

Change of name or charter provisions, §6-2-107.

Effective upon approval by board, §6-2-107.

Educational institutions.

Alcoholic beverages.

Sales prohibited, §6-2-113.

Bond issues.

Power to borrow for construction of facilities, §6-2-110.

Charters.

Change of name or charter provisions, §6-2-107.

Effective upon approval by board, §6-2-107.

Degrees.

Granting, §6-2-111.

Honorary degrees, §6-2-111.

Power to confer, §6-2-111.

Diplomas.

Granting, §6-2-111.

Power to confer, §6-2-111.

Election of officers, §6-2-104.

Fees.

Payment to secretary of state, §6-2-108.

Funds.

Use of funds or property, §6-2-103.

Gambling.

Prohibited, §6-2-113.

Gifts, bequests or devises for particular purposes, §6-2-112.

Honorary degrees, §6-2-111.

Honors.

Power to confer, §6-2-111.

Incorporation.

Number of persons required to incorporate, §6-2-102.

Loans.

Power to borrow for construction of facilities, §6-2-110.

Meetings.

First meeting, §6-2-104.

Notice, §§6-2-104, 6-2-107.

Quorum, §6-2-104.

Name of association, §6-2-102.

Change of name or charter provisions, §6-2-107.

Effective upon approval by board, §6-2-107.

CORPORATIONS —Cont'd**Educational institutions —Cont'd**

Notice.

Meetings, §6-2-104.

Number of persons required to incorporate, §6-2-102.

Officers elected, §6-2-105.

Penalties.

Violations, §6-2-111.

Perpetual succession, §6-2-109.

Powers of corporation, §6-2-109.

Property.

Use of funds or property, §6-2-103.

Purpose, §6-2-103.

Terms of officers, §6-2-105.

Trustees, §6-2-105.

Powers, §6-2-109.

Vacancies.

Filling, §6-2-105.

Fees.

Educational institutions.

Payment to secretary of state, §6-2-108.

Funds.

Educational institutions.

Use of funds or property, §6-2-103.

Gambling.

Educational institutions.

Prohibitions, §6-2-113.

Gifts.

Educational institutions.

Bequests, gifts or devises for particular purposes, §6-2-112.

Incorporation.

Educational institutions.

Number of persons required to incorporate, §6-2-102.

Loans.

Educational institutions.

Power to borrow for the construction of facilities, §6-2-110.

Meetings.

Educational institutions.

First meeting, §6-2-104.

Notice, §§6-2-104, 6-2-107.

Quorum, §6-2-104.

Names.

Educational institutions.

Change of name or charter provisions, §6-2-107.

Effective upon approval by board, §6-2-107.

Notice.

Educational institutions.

Meetings, §§6-2-104, 6-2-107.

Personal property.

Educational institutions.

Use of funds or property, §6-2-103.

CORPORATIONS —Cont'd**Real property.**

Educational institutions.

Use of funds or property, §6-2-103.

CORRESPONDENCE SCHOOLS.**Private resident and correspondence schools,** §§6-51-601 to 6-51-624.**COSTS.****University of Arkansas.**

Legal education fund.

Levy of additional costs for, §§6-64-604 to 6-64-606.

COTTON BOLL TECHNICAL INSTITUTE.**Merger and name change,** §§6-59-101 to 6-59-111.**COUNCIL ON POSTSECONDARY EDUCATION AND CAREER READINESS.****Annual report,** §6-5-1104.**Duties,** §6-5-1103.**Established,** §6-5-1102.**Expense reimbursement,** §6-5-1102.**Legislative intent and findings,** §6-5-1101.**Meetings,** §6-5-1102.**Membership,** §6-5-1102.**Plan to reduce remediation rates and graduation rates,** §6-5-1104.**Powers,** §6-5-1103.**Purpose,** §6-5-1102.**Working groups,** §6-5-1103.**COUNSELORS.****School counseling improvement act of 2019,** §§6-18-2001 to 6-18-2005.**COUNTIES.****Education.**

Charter schools.

General provisions, §§6-23-101 to 6-23-1008.

Sales and use taxes.

Satellite campuses of community colleges.

Designation of undedicated tax for capital improvements, §6-53-307.

Technical college support.

Designation of undedicated tax or capital improvements, §6-53-307.

University of Arkansas for medical sciences.

State medical center.

Quota of patients from counties, §6-64-505.

Failure to pay, §6-64-507.

COUNTIES —Cont'd**University of Arkansas for medical sciences —Cont'd**

State medical center —Cont'd

Quota of patients from counties —Cont'd

Indigent persons, §6-64-507.

COUNTY TREASURERS.**Education.**

County general school fund, §6-20-221.

COVID-19.**Tutoring corps program to address learning loss, §§6-15-3101 to 6-15-3104.****CPR.****Schools.**

CPR training, §6-10-123.

Public schools, instruction, §6-16-143.

CRAFT TRAINING.**Construction industry craft training, §§6-55-101 to 6-55-108.****CRIMINAL HISTORY RECORD CHECKS.****Certified education personnel, §6-17-411.****Education.**

Existing nonlicensed employees, §6-17-415.

Initial employment of nonlicensed personnel, §6-17-414.

Licensed education personnel, §6-17-411.

Teachers.

Alternative educator preparation programs, provisional license under, §6-17-409.

Existing nonlicensed employees, §6-17-415.

First-time applicants for licenses, §6-17-411.

Fraudulent acts, §6-17-421.

Initial employment of nonlicensed personnel, §6-17-414.

Lifetime teaching licenses.

Applicants, §6-17-2604.

Private resident and correspondence schools, §6-51-605.

Admissions representatives, §6-51-609.

Teachers.

Alternative educator preparation programs, provisional license under, §6-17-409.

Applicants for license, §6-17-410.

Existing nonlicensed employees, §6-17-415.

CRIMINAL HISTORY RECORD CHECKS —Cont'd**Teachers —Cont'd**

Fraudulent acts, §6-17-421.

Initial employment of nonlicensed personnel, §6-17-414.

Licensed education personnel, §6-17-411.

Lifetime teaching licenses.

Applicants, §6-17-2604.

CRIMINAL LAW AND PROCEDURE.**Alcoholic beverages.****Education.**

Providing alcoholic beverages to students, §6-2-113.

Sales prohibited near educational institutions, §6-2-113.

Bond issues.**Education.**

District school bonds.

Charging brokerage fees or commissions, §6-20-1206.

Bribery.**Education.**

Sale of textbooks and other instructional materials, §6-21-410.

Brothels.

Educational institutions.

Prohibited near, §6-2-113.

Discrimination.**Education.**

Discrimination against students, §6-10-114.

Education.

Agricultural colleges.

Board of trustees.

Violation of oath.

Arkansas State university system, §6-65-201.

Arkansas Tech university, §6-65-301.

Southern Arkansas university, §6-65-401.

Faculty and employees.

Hiring restrictions, §6-65-107.

Sale of farm products.

Disposition of proceeds, §6-65-110.

Alcoholic beverages.

Furnishing to students, §6-2-113.

Sales near educational institutions, §6-2-113.

Annoying conduct by trespassers, §6-21-606.

Arkansas State university system.

Board of trustees.

Violation of oath, §6-65-201.

CRIMINAL LAW AND PROCEDURE

—Cont'd

Education —Cont'd

Arkansas Tech university.

Board of trustees.

Violation of oath, §6-65-301.

Attendance reports.

Falsification, §6-18-219.

Bond issues.

Charging brokerage fees or
commissions, §6-20-1206.

Brothels.

Prohibited near educational
institutions, §6-2-113.

Commodities.

Acquisition, §6-21-302.

Degrees, diplomas and honors.

Conferred unlawfully, §6-2-111.

Discrimination against students,
§6-10-114.

Elementary and secondary education.

Discrimination against students,
§6-10-114.

School law violations, §6-10-102.

Smoking on school grounds,
§6-21-609.

Ethics violations, §6-24-115.

Fire hazards inspections, §6-21-106.

Fraternities, sororities, etc., §6-18-602.

Gambling.

Enticing students to gamble or
furnishing gambling devices,
§6-2-113.Prohibited near educational
institutions, §6-2-113.Illegal acts involving school officials,
§6-21-410.

Immunization, §6-18-702.

Insult or abuse of teacher, §6-17-106.

Loitering on or near school grounds,
§6-21-607.Parental notification of law
enforcement actions, §6-18-513.

Postsecondary institutions.

Course requirements, §6-61-105.

Incorporation and certification
requirements, §6-61-301.Private resident and correspondence
schools, §6-51-615.Denial or suspension of admissions
representative's license,
§6-51-615.

Operating school without, §6-51-612.

Revolving loan fund.

Fees charged for services performed,
§6-20-816.

School bus drivers.

Certification, §6-19-108.

CRIMINAL LAW AND PROCEDURE

—Cont'd

Education —Cont'd

School bus drivers —Cont'd

Loading and discharging pupils,
§6-19-110.

School discipline act.

Act not to limit or restrict bringing
of criminal charges, §6-18-504.

School districts.

Fraudulent use of district funds by
treasurer, §6-13-701.

Schools for the Blind and Deaf.

Attendance violations, §6-43-105.

Board of trustees.

Violation of oath, §6-43-101.

Smoking on school grounds, §6-21-609.

Southern Arkansas university.

Board of trustees.

Violation of oath, §6-65-401.

Textbooks.

Illegal acts involving school officials,
§6-21-410.

Trespassers.

Annoying conduct by, §6-21-606.

Unlawful enrollment of students
outside district, §6-18-202.

Vandalizing schools, §6-21-605.

False academic credentials, use of,
§6-61-135.**Fraternities, §6-18-602.****Fraud.**

Education.

School districts.

Fraudulent use of district funds
by treasurer, §6-13-701.**Gambling.**

Education.

Enticing students to gamble or
furnishing gambling devices,
§6-2-113.Prohibited near educational
institutions, §6-2-113.**Immunization.**

School children, §6-18-702.

Loitering.

School grounds, §6-21-607.

Parent and child.

Education.

Parental notification of law
enforcement actions, §6-18-513.**School bus drivers.**Cell phone, use while driving bus,
§6-19-120.

Certification, §6-19-108.

Loading and discharging pupils,
§6-19-110.

CRIMINAL LAW AND PROCEDURE

—Cont'd

School buses.

Seating, overcrowding, §6-19-119.

Schools.

Threats targeted at school.

Mandated reports and reporters,
violations, §6-18-110.**Sexually grooming a child.**Teacher licensing, disqualification,
§6-17-410.**Smoking.**

School grounds, §6-21-609.

Sororities, §6-18-602.**Threats.**

Targeted at school.

Mandated reports and reporters,
violations, §6-18-110.**Trespass.**

Schools.

Annoying conduct by trespassers,
§6-21-606.**Vandalism.**

School property, §6-21-605.

CRITICAL NEEDS MINORITY**TEACHER SCHOLARSHIP****PROGRAM, §§6-82-1501 to**
6-82-1506.**Administration of program,**
§6-82-1505.**Citation of act, §6-82-1501.****Committee.**

Establishment, §6-82-1506.

Establishment, §6-82-1502.**Minority defined, §6-82-1503.****Purpose, §6-82-1502.****Rules, §6-82-1505.****Service requirement for scholarship**
recipients, §6-82-1504.**Title of act, §6-82-1501.****CROWLEY'S RIDGE TECHNICAL**
INSTITUTE.**Merger with East Arkansas****Community College, §§6-51-1101**
to 6-51-1106.**CYBERBULLYING.****Anonymous reporting by students.**ARSafeSchools, school safety and crisis
line, §§6-18-111, 6-18-112.**D****DAMAGES.****Colleges and universities.**

Improvement districts.

Real property.

Petition to acquire private
property.Deposit to cover damages prior
to determination, §6-71-140.Determination of damages,
§6-71-140.

Payment of damages, §6-71-140.

Education.

Textbooks.

Publisher's failure to comply with
contract, §6-21-409.**DEAF AND HARD OF HEARING.****Accounts and accounting.**

School for the Deaf, §6-43-309.

American sign language.

Colleges and universities.

Qualification of American sign
language as foreign language,
§6-61-125.

Public schools.

Taught as modern or foreign
language, §6-16-142.**Bonds, surety.**

School for the Deaf.

Superintendent, §6-43-103.

Colleges and universities.Aid to deaf students at college,
§6-43-318.American sign language as foreign
language, §6-61-125.**Education.**

Colleges and universities.

Aid to deaf students at college,
§6-43-318.Compulsory school attendance,
§6-43-105.Employers or harborers of absentees
guilty.

Penalties, §6-43-105.

Exemption from attendance,
§6-43-105.

No facilities available.

Authority to send children outside
state where no facilities
available, §6-43-106.

DEAF AND HARD OF HEARING

—Cont'd

Education —Cont'd

Compulsory school attendance

—Cont'd

One week's absence an offense,
§6-43-105.

Penalty, §6-43-105.

Prosecuting attorneys and school
attendance officers to enforce
act, §6-43-105.

Traveling time, §6-43-105.

Extension of time for pupils,
§6-43-316.

Funeral expenses, §6-43-111.

Length of time pupils may remain,
§6-43-316.List of applications in numerical order,
§6-43-315.

Removal of pupils.

Expenses, §6-43-108.

Residence.

Certificate of residence to
accompany application for
admission, §6-43-107.School for the Deaf, §§6-43-301 to
6-43-321.Teachers for hard of hearing entering
state service, §6-17-809.**Names.**

School for the Deaf, §6-43-301.

Penalties.

Education.

Compulsory school attendance.

Employers or harborers of
absentees guilty, §6-43-105.**Prosecuting attorneys.**

Education.

Compulsory school attendance.

Enforcement of act, §6-43-105.

Records.

School for the Deaf.

Contents, §6-43-309.

Secretary and purchasing agent,
§6-43-310.**Reports.**

School for the Deaf, §6-43-309.

Biennial reports, §6-43-311.

School for the Deaf.

Accounts and accounting, §6-43-309.

Action for trespass or other wrongs
brought by state, §6-43-304.

Applications for admission.

List of applications in numerical
order, §6-43-315.

Auditor.

Warrants drawn, §6-43-308.

DEAF AND HARD OF HEARING

—Cont'd

School for the Deaf —Cont'd

Board.

Personal property.

Holding property in trust,
§6-43-302.

Real property.

Holding property in trust,
§6-43-302.

Boarding, §6-43-317.

Board of trustees.

Appointment of members, §6-43-101.

Compensation of members,
§6-43-101.

Composition, §6-43-101.

Creation, §6-43-101.

Duties, §6-43-102.

Number of members, §6-43-101.

Oath of office, §6-43-101.

Powers, §6-43-102.

Rent, construction or repair of
facilities, §6-43-303.Qualifications of members,
§6-43-101.

Removal of members, §6-43-101.

Terms of members, §6-43-101.

Vacancies, §6-43-101.

Clothing and traveling expenses,
§6-43-109.Collection from parents or county,
§6-43-109.County charged when furnished by
state, §6-43-109.

Warrants for the payment of money.

Application in payment of
auditor's warrants in favor of
counties, §6-43-110.

Payment by county treasurer.

Indorsement when no funds,
§6-43-110.Presentation to county treasurer,
§6-43-110.State treasurer to receive in
payment for clothing and
traveling expenses, §6-43-110.

Colleges.

Aid to deaf students at college,
§6-43-318.Cruel or severe punishment forbidden,
§6-43-319.Discharge of teachers and employees,
§6-43-306.

Earthquake safety drills, §6-10-121.

Employees, §6-43-104.

Compensation limitation, §6-43-113.

Conflict of interests, rules,
§6-43-114.

DEAF AND HARD OF HEARING

—Cont'd

School for the Deaf —Cont'd

Employees —Cont'd

Discharge, §6-43-306.

Dual position occupancy, §6-43-117.

Duties, §6-43-306.

Ethics rules, §6-43-114.

Nepotism rules, §6-43-114.

Salaries.

Increases.

Limitations, §6-43-307.

Limitation, §§6-43-113, 6-43-307.

Special allowances, §6-43-116.

Establishment, §6-43-301.

Extension of time for pupils,
§6-43-316.

Facilities.

Rent, construction or repair,
§6-43-303.

Funeral expenses, §6-43-111.

Length of time pupils may remain,
§6-43-316.List of applications in numerical order,
§6-43-315.

Lodging, §6-43-317.

Maintenance, transportation and
security for school, §6-43-321.

Name and title, §6-43-301.

Property.

Board to hold property in trust,
§6-43-302.

Tax exemption, §6-43-302.

Punishment.

Cruel or severe punishment
forbidden, §6-43-319.

Records.

Contents, §6-43-309.

Reports, §6-43-309.

Secretary and purchasing agent,
§6-43-310.

Removal of pupils.

Expenses, §6-43-108.

Reports.

Biennial reports, §6-43-311.

Residence.

Certificate of residence to
accompany application for
admission, §6-43-107.

Salaries.

Increase.

Limitations, §6-43-307.

Shift work, §6-43-320.

Superintendent, §6-43-103.

Bond, surety, §6-43-103.

Employees.

Powers as to, §6-43-104.

Selection, §6-43-103.

DEAF AND HARD OF HEARING

—Cont'd

School for the Deaf —Cont'd

Teachers.

Discharge, §6-43-306.

Duties, §6-43-306.

Employment, §6-43-305.

Licensure.

Eligibility for step increase after
licensure, §6-43-305.

Qualifications, §6-43-305.

Salaries.

Authorization to pay maximum
annual salary, §6-43-305.Eligibility for step increase after
licensure, §6-43-305.

Maximum annual salary.

Authorization to pay, §6-43-305.

Tornado safety drills, §6-10-121.

Transportation of pupils, §6-43-112.

Treasurer.

Custody of funds, §6-43-308.

Warrants for payment of money.

Auditor to draw, §6-43-308.

Sign language.

Colleges and universities.

American sign language as foreign
language, §6-61-125.

Public schools.

American sign language taught as
modern or foreign language,
§6-16-142.**Taxation.**

School for the Deaf.

Property exempt from taxation,
§6-43-302.**Teachers.**School for the Deaf, §§6-43-305,
6-43-306.**Teachers for hard of hearing**

entering state service, §6-17-810.

Trespass.

School for the Deaf.

Action for trespass or other wrongs
brought by state, §6-43-304.**Warrants for payment of money.**

School for the Deaf.

Auditor to draw warrants,
§6-43-308.Clothing and traveling expenses,
§6-43-110.**DEFINED TERMS.****Abortion.**

Student protection act, §6-18-2202.

Abortion referral.

Student protection act, §6-18-2202.

Academic ability.

Governor's scholarships, §6-82-302.

DEFINED TERMS —Cont'd**Academic ability —Cont'd**

High technology scholarships,
§6-82-401.

Academic facilities wealth index.

Arkansas public school academic
facilities fund act, §6-20-2502.

Academic facility.

Arkansas public school academic
facilities fund act, §6-20-2502.

Open-enrollment public charter
schools capital grant program,
§6-23-801.

Public school academic facilities
program, §6-21-803.

Academic growth.

Educational support and
accountability act, §6-15-2903.

Academic scholarships.

Limitations on expenditures,
§6-80-106.

Account.

Brighter future fund plan act,
§6-84-103.

Account owner.

Brighter future fund plan act,
§6-84-103.

Accounts payable.

Public education reorganization act,
debt relief for involuntary
consolidations, §6-13-1610.

Accumulated sick leave.

School employees' minimum sick leave,
§6-17-1302.

Teachers' minimum sick leave,
§6-17-1202.

A child with a disability.

Education, §6-41-203.

ACT.

Academic challenge scholarship
program, §6-85-204.

ACT assessment, §6-18-1602.**Acted upon.**

Teachers and school personnel.
Code of ethics, §6-17-428.

ACT equivalent.

Academic challenge scholarship
program, §6-85-204.

Activated reserve components.

Military child school transitions act of
2021 for students changing school
districts, §6-28-104.

Active duty.

Military child school transitions act of
2021 for students changing school
districts, §6-28-104.

Activity funds.

Education, §6-13-701.

DEFINED TERMS —Cont'd**Act of violence.**

Student crime, reporting, §6-17-113.

Act 60 school district.

Public education reorganization act,
debt relief for involuntary
consolidations, §6-13-1610.

Additional education categories.

Public school funding act of 2003,
§6-20-2303.

Additions.

Water bottle filling stations at schools,
§6-21-119.

Administrative activities.

School counseling improvement act of
2019, §6-18-2002.

Administrative annexation.

Public education reorganization,
§6-13-1601.

Administrative consolidation.

Public education reorganization,
§6-13-1601.

Administrators.

Colleges and universities, salary
reports, §6-63-316.

Corporal punishment, §6-17-112.

Education, ethics, §6-24-102.

Admissions representative.

Vo-Tech schools, §6-51-602.

Adrenal crisis.

Schools and education.

Adrenal insufficiency or crisis,
administration of medication,
§6-18-718.

Adrenal insufficiency.

Schools and education.

Adrenal insufficiency or crisis,
administration of medication,
§6-18-718.

Adult.

Education.

Students, §6-18-1102.

Adult education charter school,

§6-23-103.

Adult education program.

Arkansas northeastern college,
§6-59-101.

Arkansas state university-Searcy,
§6-56-101.

National park college, §6-58-101.

Advanced nursing practice.

Advanced nursing practice and nurse
educator loans and scholarships,
§6-81-1201.

Advanced placement course,

§§6-16-803, 6-16-1202.

Education, §6-15-901.

DEFINED TERMS —Cont'd**Affected districts.**

Public education reorganization,
§6-13-1601.

School districts, annexation and
consolidation, §6-13-1401.

Affiliate.

Student protection act, §6-18-2202.

Agent.

Vo-Tech schools, §6-51-602.

Aggrieved district.

School districts, annexation and
consolidation, §6-13-1401.

**Alternative educator preparation
program.**

Teachers, §6-17-409.

**Alternative learning environment,
§6-48-101.**

Public school funding act of 2003,
§6-20-2303.

American sign language.

Taught in public schools as modern or
foreign language, §6-16-142.

Annexation.

Fiscal assessment and accountability
program, §6-20-1903.

Public school academic facilities
program, §6-21-803.

School district fiscal assessment and
accountability, §6-20-1903.

School districts, annexation and
consolidation, §6-13-1401.

Applicant.

Educator criminal background checks,
§6-17-417.

Fraudulent acts, background checks
for, §6-17-421.

Application.

Charter schools, §6-23-103.

Applied general education courses.

Arkansas northeastern college,
§6-59-101.

Arkansas state university-Searcy,
§6-56-101.

National park college, §6-58-101.

Apprenticeship training programs.

Vo-Tech training, §6-52-201.

**Appropriate early childhood
program.**

Education.

Arkansas Better Chance program,
§6-45-103.

Approved high technology program.

High technology scholarships,
§6-82-401.

DEFINED TERMS —Cont'd**Approved institution.**

Building better futures programs for
students with intellectual
disabilities.

High school program, §6-41-802.

Institutions of higher education,
§6-41-702.

Governor's scholarships, §6-82-302.

High technology scholarships,
§6-82-401.

Teacher education program,
§6-81-1602.

**Approved institution of higher
education.**

Academic challenge scholarship
program, §6-85-204.

Arkansas concurrent challenge
scholarship program, §6-85-402.

Arkansas future grant program,
§6-82-1801.

Arkansas workforce challenge
scholarship program, §6-85-302.

Approved school of nursing.

Academic challenge scholarship
program, §6-85-204.

**Approved state-supported school of
nursing.**

Arkansas future grant program,
§6-82-1801.

Area of operation.

Workforce development center
authority act, §6-50-803.

**Arkansas better chance for school
success, §6-45-103.****Arkansas early childhood
commission.**

Education.

Arkansas Better Chance program,
§6-45-103.

**Arkansas higher education
information system, §6-60-901.****Arkansas HIPPY advisory board.**

Education.

Arkansas Better Chance program,
§6-45-103.

**Arkansas public schools computer
network (APSCN), §6-11-128.****Arkansas resident.**

Academic challenge scholarship
program, §6-85-204.

Building better futures programs for
students with intellectual
disabilities.

High school program, §6-41-802.

DEFINED TERMS —Cont'd**Arkansas resident —Cont'd**

Building better futures programs for students with intellectual disabilities —Cont'd

Institutions of higher education, §6-41-702.

Arkansas school of nursing.

Advanced nursing practice and nurse educator student loans and scholarships, §6-81-1201.

Articulation agreement.

Tech-prep education grants, §6-53-501.

Artifacts.

Teacher excellence and support system, §6-17-2803.

Assessors.

College and university improvements, §6-71-101.

Athletic activities.

Home schooled students participating in interscholastic activities, §6-15-509.

Private schools, §6-15-510.

Sudden cardiac arrest education, §6-18-708.

Athletic deficit.

Funding, §6-62-802.

Athletic expenditures.

Athletic program funds tracking, §6-20-2002.

Education, §§6-62-106, 6-62-802.

Athletic facilities.

Higher education technology and facility improvement act of 2005, §6-62-1103.

Athletic program.

Funding, §6-62-802.

Attributes.

Bullying, schools and education, §6-18-514.

Authorizer.

Charter schools, §6-23-103.

Automated school bus safety

camera, §6-19-131.

Available funding.

Public education reorganization act, debt relief for involuntary consolidations, §6-13-1610.

Average daily membership.

Arkansas public school academic facilities fund act, §6-20-2502.

Public education reorganization, §6-13-1601.

Public school funding act of 2003, §6-20-2303.

Aversive behavioral intervention.

Restraint of students, §6-18-2403.

DEFINED TERMS —Cont'd**Bank funds.**

Finances of state institutions, §6-62-601.

Basic contract.

Teacher compensation program of 2003, §6-17-2402.

Basic skills training.

Existing workforce training act, §6-50-702.

Behavioral intervention.

Restraint of students, §6-18-2403.

Behavior intervention plan.

Restraint of students, §6-18-2403.

Benefits.

Forming open and robust university minds (FORUM) act, §6-60-1003.

Bilingual program.

Education, basic language of instruction, §6-16-104.

Board member.

Education, ethics, §6-24-102.

Board of education.

Education, ethics, §6-24-102.

Board of trustees.

Postsecondary institutions, §6-61-1002.

Bonds.

Higher education technology and facility improvement act of 2005, §6-62-1103.

Postsecondary institutions, §6-61-1002.

Public school facilities funding act of 2007, §6-20-2602.

Branch campus of the community college.

Postsecondary education reorganization, §6-53-103.

Buildings.

Arkansas public school academic facilities fund act, §6-20-2502.

Bullying.

Education, §6-18-514.

Campus.

Clean air on campus, §6-60-803.

Campus community.

Forming open and robust university minds (FORUM) act, §6-60-1003.

Capital improvements.

Postsecondary institutions, §6-61-1002.

Capital outlay expense.

Postsecondary education reorganization, §6-53-103.

Postsecondary institutions, §6-61-501.

Career and technical education program of study, §6-5-1002.**Catastrophic illness.**

Employees of state institutions, §6-63-601.

DEFINED TERMS —Cont'd**Catastrophic leave.**

Employees of state institutions,
§6-63-601.

Catastrophic leave bank.

Employees of state institutions,
§6-63-601.

Cellular telephone.

Use of cell phone while driving school
bus, §6-19-120.

Center of excellence, §6-61-129.**Certificate program.**

Arkansas concurrent challenge
scholarship program, §6-85-402.
Arkansas workforce challenge
scholarship program, §6-85-302.

**Certified speech-language
pathologist.**

Teachers, NBTS certification,
§6-17-413.

Chancellor.

Colleges and universities, §6-60-114.

Charter.

Charter schools, §6-23-103.

Chemical restraint.

Restraint of students, §6-18-2403.

Child.

Education, §6-82-501.

Child living in a foster home.

Education.
Finances, §6-20-502.

Child maltreatment.

Child maltreatment mandatory
reporters, §6-61-133.

Child of a military family.

Public school funding act of 2003,
§6-20-2303.

Child with disabilities.

Education financing, §6-20-502.

Citizen.

Building better futures programs for
students with intellectual
disabilities.
High school program, §6-41-802.
Institutions of higher education,
§6-41-702.

Civil War, §6-5-501.**Civil War-era weapon, §6-5-501.****Civil War reenactor, §6-5-501.****Classified employee.**

Education, §§6-13-1302, 6-17-306,
6-17-805.
Minimum salary act, §6-17-2202.
Personnel policy law, classified
employees, §§6-17-2301,
6-17-2302.

Classified employee administrator.

Education, personnel policies for
classified employees, §6-17-2302.

DEFINED TERMS —Cont'd**Classroom teacher.**

Athletic program funds tracking,
§6-20-2002.
Dual licensure incentive program,
§6-81-607.
Public school funding act of 2003,
§6-20-2303.
Scholastic activity funds tracking,
§6-20-2102.
Teachers, national board certification,
§6-17-412.

Classroom training.

Existing workforce training act,
§6-50-702.

Code of ethics.

Teachers and school personnel,
§6-17-428.

Collector.

College and university improvements,
§6-71-101.

College.

Information to be made available by
division of higher education,
§6-60-1301.

**College advanced placement test,
§6-16-803.****College and career readiness
assessment.**

Educational support and
accountability act, §6-15-2903.
Postsecondary preparatory programs,
§6-16-601.

**College and career readiness
benchmark.**

Postsecondary preparatory programs,
§6-16-601.

College board.

Advanced placement program,
§6-16-803.

Combination school.

Vo-Tech schools, §6-51-602.

Commodities.

Education.
School property and supplies,
§6-21-301.
Ethics, §6-24-102.

Community college.

Postsecondary education
reorganization, §6-53-103.
Postsecondary institutions, §§6-61-501,
6-61-1002.

Community school, §6-15-3002.**Community school coordinator,
§6-15-3002.****Community school plan, §6-15-3002.****Community truancy board, §6-18-225.**

DEFINED TERMS —Cont'd**Competitive examination.**

Governor's scholarships, §6-82-302.

Complex Arkansas healthcare agency.

Advanced nursing practice and nurse educator loans and scholarships, §6-81-1201.

Compliance citation.

Children with disabilities, §6-41-402.

Confucius institute.

Foreign investments, transparency, §6-60-1202.

Consequence.

Restraint of students, §6-18-2403.

Consolidated state plan.

Educational support and accountability act, §6-15-2903.

Consolidation.

Fiscal assessment and accountability program, §6-20-1903.

Interim personnel policy committee, §6-17-209.

Public school academic facilities program, §6-21-803.

School district fiscal assessment and accountability, §6-20-1903.

School districts, annexation and consolidation, §6-13-1401.

Consortium.

Existing workforce training act, §6-50-702.

Content standards.

Courses of study.

Physical education credit for physical activity courses, §6-16-137.

Continuously enrolled.

Academic challenge scholarship program, §6-85-204.

Contract.

Education, ethics, §6-24-102.

Foreign investments, transparency, §6-60-1202.

Conversion public charter school,

§6-23-103.

Conviction.

School district employees convicted of committing sexual offenses, §6-17-116.

Corporate limits.

College and university improvements, §6-71-101.

Correspondence school.

Vo-Tech schools, §6-51-602.

Cost of attendance.

Scholarship stacking, §6-80-105.

DEFINED TERMS —Cont'd**Cost of higher education.**

College savings bonds, §6-62-703.

Costs of issuance.

Postsecondary institutions, §6-61-1002.

Counter demonstration.

Forming open and robust university minds (FORUM) act, §6-60-1003.

Course time.

Education, §6-18-507.

Covered information.

Student online personal information protection act, §6-18-109.

Covered police officer.

Tuition reduction, §6-60-213.

Crisis.

Restraint of students, §6-18-2403.

Crisis intervention.

Restraint of students, §6-18-2403.

Crisis intervention training program.

Restraint of students, §6-18-2403.

Current indebtedness.

Education.

Finances, §6-20-401.

Curriculum.

Schools and education, §6-16-155.

Curriculum frameworks.

Courses of study.

Physical education credit for physical activity courses, §6-16-137.

Custodial activities.

Public school academic facilities program, §6-21-803.

Cyberbullying.

Education, §6-18-514.

Dangerous behavior.

Restraint of students, §6-18-2403.

Data.

Teacher excellence and support system, §6-17-2803.

Data and other information.

Schools, efficiency in reporting, §6-10-129.

Data processing.

Postsecondary institutions, §6-61-101.

Day.

Restraint of students, §6-18-2403.

Deadly weapon.

Student crime, reporting, §6-17-113.

Debt adjuster,

§6-63-301.

Debt service.

College savings bonds, §6-62-703.

Higher education technology and facility improvement act of 2005, §6-62-1103.

Postsecondary institutions, §6-61-1002.

DEFINED TERMS —Cont'd**Debt service —Cont'd**

Public school facilities funding act of 2007, §6-20-2602.

Declining enrollment funding.

Public school funding act of 2003, §6-20-2303.

De-escalation.

Restraint of students, §6-18-2403.

Department of health.

Advanced nursing practice and nurse educator loans and scholarships, §6-81-1201.

Dependent.

Children of prisoners of war, §6-82-601.

Tuition reduction for police officers, §6-60-213.

Deployment.

Military child school transitions act of 2021 for students changing school districts, §6-28-104.

Designated beneficiary.

Brighter future fund plan act, §6-84-103.

Designated transfer degree.

Colleges and universities, transfer of credits, §6-61-231.

Develop.

College savings bonds, §6-62-703.

Higher education technology and facility improvement act of 2005, §6-62-1103.

Public school facilities funding act of 2007, §6-20-2602.

Digital learning.

Digital learning act, §6-16-1403.

Directly.

Education, ethics, §6-24-102.

Directly interested.

Education, ethics, §6-24-102.

Direct observation.

Teacher excellence and support system, §6-17-2803.

Direct services.

School counseling improvement act of 2019, §6-18-2002.

Disabled veteran.

Children of prisoners of war, §6-82-601.

Distance learning, §6-47-403.**District.**

College and university improvements, §6-71-101.

Postsecondary education reorganization, §6-53-103.

Postsecondary institutions, §6-61-501.

DEFINED TERMS —Cont'd**District of innovation.**

School district of innovation program, §6-15-2801.

Door-to-door sales.

Education.

Students, §6-18-1102.

Drug.

Pre-employment and random drug screening of school personnel, §6-17-121.

Drug screening.

Pre-employment and random drug screening of school personnel, §6-17-121.

Dual-immersion program.

Education, basic language of instruction, §6-16-104.

Dual licensure.

Teachers, §6-81-607.

Dual status military technician.

Military child school transitions act of 2021 for students changing school districts, §6-28-104.

Dyslexia, §6-41-602.**Dyslexia interventionist, §6-41-602.****Dyslexia program, §6-41-602.****Dyslexia specialist, §6-41-602.****Dyslexia therapist, §6-41-602.****Dyslexia therapy, §6-41-602.****E-cigarette.**

Clean air on campus, §6-60-803.

Smoking on school property, §6-21-609.

Educational cooperative.

School districts, §6-13-902.

Educational entity.

Criminal history background checks for fraudulent acts, §6-17-421.

Educational scholarship.

Philanthropic investment in Arkansas Kids Program, tax credit, §6-18-2302.

Educational setting.

Lifetime teaching licenses, §6-17-2602.

Education records.

Military child school transitions act of 2021 for students changing school districts, §6-28-104.

Educator.

Educational support and accountability act, §6-15-2903.

Teachers and school personnel, §6-17-428.

Electronic.

School district reporting, §6-10-129.

Electronic act.

Education, §6-18-514.

DEFINED TERMS —Cont'd**Electronic communication.**

Colleges and universities, §6-61-126.

Electronic transcript.

Student transcripts, §6-80-107.

Electronic warning device.

School buses.

Safety equipment grant pilot program, §6-19-125.

Elementary school student,

§6-18-1102.

Eligible contribution.

Philanthropic investment in Arkansas

Kids Program, tax credit,

§6-18-2302.

Eligible employee.

School district of innovation program,

§6-15-2801.

Eligible entity.

Charter schools, §6-23-103.

Eligible high school.

Arkansas smart core incentive funding program, §6-15-215.

Eligible recipient.

Existing workforce training act,

§6-50-702.

Eligible school district.

Arkansas public school academic

facilities fund act, §6-20-2503.

Eligible student.

Building better futures programs for students with intellectual disabilities.

High school program, §6-41-802.

Institutions of higher education,

§6-41-702.

Governor's scholarships, §6-82-302.

High school diploma, reengagement system and differentiated pathway to, §6-16-1503.

Postsecondary preparatory programs, §6-16-601.

Teacher education program,

§6-81-1602.

Emergency.

Restraint of students, §6-18-2403.

School buses, passenger restraint systems, §6-19-130.

Emergency medical services personnel.

Children scholarships, §6-82-501.

Emergency purchases.

Education, ethics, §6-24-102.

Emergency situations.

Education personnel, §6-17-306.

Employee.

Catastrophic leave bank, §6-63-601.

Clean air on campus, §6-60-803.

DEFINED TERMS —Cont'd**Employee —Cont'd**

Education, ethics, §6-24-102.

Education personnel, §6-17-208.

Pre-employment and random drug screening of school personnel, §6-17-121.

Public school employee fair hearing act, §6-17-1702.

Social media accounts of current or prospective employees, restrictions on employer access.

Colleges and universities, §6-60-104.

Employment contract.

Education, ethics, §6-24-102.

Endorsed concurrent enrollment course.

Advanced placement courses, §6-16-1202.

Arkansas concurrent challenge scholarship program, §6-85-402.

Energy conservation measures.

Education financing, §6-20-401.

Energy savings contract.

School districts, §6-20-405.

English language arts.

Educational support and accountability act, §6-15-2903.

English language learners.

Public school funding act of 2003, §6-20-2303.

English learner.

Educational support and accountability act, §6-15-2903.

Enrolled.

Academic challenge scholarship program, §6-85-204.

Enrollee.

Vo-Tech schools, §6-51-602.

Established policies.

Postsecondary institutions, §6-61-208.

Ethical violation.

Teachers and school personnel, §6-17-428.

Ethics complaint.

Teachers and school personnel, §6-17-428.

Evaluation.

Teacher excellence and support system, §6-17-2803.

Evaluation framework.

Teacher excellence and support system, §6-17-2803.

Evaluation rubric.

Teacher excellence and support system, §6-17-2803.

Evaluator.

Teacher excellence and support system, §6-17-2803.

DEFINED TERMS —Cont'd**Evidence.**

Teacher excellence and support system, §6-17-2803.

Excess accounts payable.

Public education reorganization act, debt relief for involuntary consolidations, §6-13-1610.

Excess food.

Distribution of excess food to students, §6-18-716.

Exclusionary disciplinary actions.

Effective school discipline, §6-18-516.

Executive head.

Institutional law enforcement officers, §6-13-1701.

Existing community college.

Postsecondary education reorganization, §6-53-103.

Expenditure data.

Colleges and universities, §6-61-137.

Expulsion.

Education, §6-18-507.

Extension course site.

Vo-Tech schools, §6-51-602.

Extracurricular activity.

Education, §6-22-103.

Military child school transitions act of 2021 for students changing school districts, §6-28-104.

Payment for instruction in order to participate, prohibition, §6-16-151.

Extraordinary academic ability.

Governor's scholarships, §6-82-302.

Facilities distress status.

Public school academic facilities program, §6-21-803.

Facilities improvement plan.

Public school academic facilities program, §6-21-803.

Facilities master plan.

Public school academic facilities program, §6-21-803.

School finance, §6-20-2210.

Facility condition index.

Arkansas public school academic facilities fund act, §6-20-2502.

Facility improvement projects.

Higher education technology and facility improvement act of 2005, §6-62-1103.

False academic credentials,
§6-61-135.**Family.**

Education, ethics, §6-24-102.

Family members.

Education, ethics, §6-24-102.

DEFINED TERMS —Cont'd**Federal aid.**

Scholarship stacking, §6-80-105.

Federal deposit insurance corporation.

Public school facilities funding act of 2007, §6-20-2602.

Federal funds.

Education.

Finances, §6-20-502.

Federal student financial assistance.

Arkansas future grant program, §6-82-1801.

Feminine hygiene products.

Schools, §6-18-717.

Fidelity.

Dyslexia, §6-41-602.

Financial interest.

Education, ethics, §6-24-102.

Firearm.

Student crime, reporting, §6-17-113.

Firefighter.

Children scholarships, §6-82-501.

Fiscal distress status.

Fiscal assessment and accountability program, §6-20-1903.

School district fiscal assessment and accountability, §6-20-1903.

Fiscal integrity.

Education service cooperatives, §6-13-1027.

Fiscal assessment and accountability program, §6-20-1903.

School district fiscal assessment and accountability, §6-20-1903.

Fiscal officer.

Criminal history background checks for fraudulent acts, §6-17-421.

Fiscal year.

Education personnel, §6-17-306.

Floor plan.

School district floor plan on file with emergency management coordinator, §6-10-125.

Food animal.

Veterinary medicine loan repayment assistance program, §§6-81-1105, 6-81-1106.

Food supply veterinary medicine.

Veterinary medicine loan repayment assistance program, §§6-81-1105, 6-81-1106.

Foreign source.

Foreign investments, transparency, §6-60-1202.

Formative year.

Teacher excellence and support system, §6-17-2803.

DEFINED TERMS —Cont'd**Foster care.**

Succeed scholarship program,
§6-41-901.

Foster parent.

School choice for children in foster
care, §6-18-233.

Succeed scholarship program,
§6-41-901.

Foundation funding.

Arkansas public school academic
facilities fund act, §6-20-2503.

Public school academic facilities
program, §6-21-803.

Public school funding act of 2003,
§6-20-2303.

Founding member.

Charter schools, §6-23-103.

Four-day school week, §6-10-117.**Fraudulent act.**

Criminal history background checks
for fraudulent acts, §6-17-421.

Free appropriate public education.

Children with disabilities, §6-41-203.

Free-speech zone.

Forming open and robust university
minds (FORUM) act, §6-60-1003.

Full-time classified employees.

Minimum salary act, §6-17-2202.

Full-time employee.

Public school employee fair hearing
act, §6-17-1702.

Full-time equivalent eligible student.

High school diploma, reengagement
system and differentiated pathway
to, §6-16-1503.

Full-time student.

Governor's scholarships, §6-82-302.

High technology scholarships,
§6-82-401.

Functional behavior assessment.

Restraint of students, §6-18-2403.

Fund-raising companies.

Students, §6-18-1102.

Gender identity.

Schools and education.

Parental notice and consent
requirements, §6-16-1006.

General business manager.

School fiscal assessment and
accountability, §6-20-1913.

General revenues of the state.

Public school facilities funding act of
2007, §6-20-2602.

Gift.

Foreign investments, transparency,
§6-60-1202.

DEFINED TERMS —Cont'd**Gifted and talented programs.**

Public school funding act of 2003,
§6-20-2303.

Gifted and talented students.

Public school funding act of 2003,
§6-20-2303.

Governing authority.

Clean air on campus, §6-60-803.

Governing council.

Existing workforce training act,
§6-50-702.

Graduate courses.

Postsecondary institutions, §6-61-528.

Graduate program.

Postsecondary institutions, §6-61-528.

Grant.

Positive youth development grant
program, §6-5-902.

Tuition assistance for residents
attending certain out-of-state
schools, §6-81-1101.

Gratuities.

Education, ethics, §6-24-102.

Grievance.

Education personnel, §6-17-208.

Gross tuition.

Residents and correspondence schools,
§6-51-620.

Guest.

Clean air on campus, §6-60-803.

Harassment.

Education, §6-18-514.

Forming open and robust university
minds (FORUM) act, §6-60-1003.

Harmful to minors.

Education, internet filters, §6-21-111.

School computer use policy, §6-21-107.

Hazing.

Education, §6-5-201.

Healthcare institution.

Vo-Tech schools, §6-51-701.

Higher education institution.

Brighter future fund plan act,
§6-84-103.

High growth school district.

Public school academic facilities
funding act, §6-20-2511.

High incident route.

School buses.

Safety equipment grant pilot
program, §6-19-125.

High-need public school.

Master principal program, §6-17-1601.

High-need school salary bonus.

Master principal program, §6-17-1601.

High-poverty charter school.

Teachers, bonus for NBTS
certification, §6-17-413.

DEFINED TERMS —Cont'd**High-poverty district.**

Teachers, bonus for NBTS certification, §6-17-413.

High-poverty school.

Teachers, bonus for NBTS certification, §6-17-413.

High-priority district.

Teacher recruitment incentives in high-priority districts, §6-17-811.

High school grade point average.

Academic challenge scholarship program, §6-85-204.

Holdback longevity bonus.

Master principal program, §6-17-1601.

Holocaust.

Schools and education, §6-16-154.

Home school.

Building better futures programs for students with intellectual disabilities.

High school program, §6-41-802.

Education.

Standards and quality generally, §6-15-501.

Home schooled student.

Building better futures programs for students with intellectual disabilities.

High school program, §6-41-802.

Home schooled students participating in interscholastic activities, §6-15-509.

Private schools, §6-15-510.

Immediate family.

School employees' minimum sick leave, §6-17-1302.

Teachers' minimum sick leave, §6-17-1202.

Immediate family member.

State board of education, disposition of public property, §6-21-110.

Immediate repair project.

Arkansas public school academic facilities fund act, §6-20-2502.

Imminent danger.

Restraint of students, §6-18-2403.

Improper expenditure exceptions.

Public education reorganization act, debt relief for involuntary consolidations, §6-13-1610.

Incentive bonus.

Master principal program, §6-17-1601.

Incident.

Restraint of students, §6-18-2403.

Income.

Finances of state institutions, §6-62-106.

DEFINED TERMS —Cont'd**Indirectly.**

Education, ethics, §6-24-102.

Indirectly interested.

Education, ethics, §6-24-102.

Indirect observation.

Teacher excellence and support system, §6-17-2803.

Indirect services.

School counseling improvement act of 2019, §6-18-2002.

Individual education plan.

Children with disabilities, §§6-41-217, 6-41-402.

Individualized education program.

Restraint of students, §6-18-2403.

Industrial quality eye protective devices.

Education, §6-10-113.

Postsecondary institutions, §6-61-108.

Vo-Tech schools, §6-51-102.

Infrastructure.

Distance learning, §6-47-403.

Education, §6-47-403.

Initially employed.

Education, ethics, §6-24-102.

Innovation.

School district of innovation program, §6-15-2801.

In residence.

Teacher of the year, §6-17-2502.

Institution.

Foreign investments, transparency, §6-60-1202.

Institutional law enforcement officers, §6-13-1701.

Institutional law enforcement officer, §6-13-1701.**Institution of higher education.**

Arkansas higher education information system, §6-60-901.

College savings bonds, §6-62-703.

Electronic versions of instructional materials, §6-68-101.

Homeless and foster student liaison, §6-60-115.

Mental health and suicide prevention services, information to be provided to students, §6-60-112.

Selective service act compliance, §6-80-102.

Social media accounts of current or prospective employees, §6-60-104.

Institution of higher learning.

College savings bonds, §6-62-703.

Instructional leader.

Teachers, bonus for NBTS certification, §6-17-413.

DEFINED TERMS —Cont'd**Instructional material or materials.**

Electronic versions of instructional materials, §6-68-101.

Schools and education, §6-16-155.

Instructional materials.

Education, §6-21-402.

Instructional purposes.

Teachers, §6-17-117.

Intellectual disability.

Building better futures programs for students with intellectual disabilities.

High school program, §6-41-802.

Institutions of higher education, §6-41-702.

Intensive support status.

Teacher excellence and support system, §6-17-2803.

Interim policy review board.

Interim personnel policy committee, §6-17-209.

Internal training.

Existing workforce training act, §6-50-702.

International baccalaureate diploma.

Advanced placement and international baccalaureate diploma incentive program, §6-16-803.

International student exchange placement organization,

§6-18-1703.

Interscholastic activity.

Education, §6-22-103.

Home schooled students participating in interscholastic activities, §6-15-509.

Private schools, §6-15-510.

Payment for instruction in order to participate, prohibition, §6-16-151.

Interschool athletic program.

Athletic program funds tracking, §6-20-2002.

Interschool scholastic activities.

Scholastic activity funds tracking, §6-20-2102.

Interschool scholastic activity expenditures.

Scholastic activity funds tracking, §6-20-2102.

Intervention services.

Alternative learning environments, schools and education, §6-48-101.

Isolated school district.

Education financing, §6-20-601.

Isolated schools,

§6-20-602.

DEFINED TERMS —Cont'd**Issuance.**

District school bonds, second-lien commercial bonds, §6-20-1229.

Issue.

District school bonds, second-lien commercial bonds, §6-20-1229.

Juvenile detention facility.

Education, §6-20-104.

Knowledge and skill base portion of compensation.

Rewarding excellence in achievement program, §6-15-2603.

Labor organization.

School employees, §6-17-120.

Law enforcement officer.

Children's scholarships, §6-82-501.

Lawful permanent residents.

Academic challenge scholarship program, §6-85-204.

Layoff.

Teacher compensation, §6-17-2407.

Lease agreement.

Property of state institutions, §6-62-601.

Legal education fund,

§6-64-604.

Legal revenues.

Public school funding act of 2003, §6-20-2303.

Licensed employee.

Education, §6-13-1302.

Education personnel, §6-17-306.

Licensed school personnel.

Child maltreatment mandatory reporters, §6-61-133.

Loan repayment.

Veterinary medicine loan repayment assistance program, §6-81-1105.

Local board.

Charter schools, §6-23-103.

Postsecondary education reorganization, §6-53-103.

Postsecondary institutions, §6-61-501.

Rewarding excellence in achievement program, §6-15-2603.

Local enhancements.

Arkansas public school academic facilities fund act, §6-20-2502.

Local farm or food products.

Farm to school and early childhood education program, §6-18-2102.

Local operating funds.

Education financing, §6-20-502.

Local resources.

Arkansas public school academic facilities fund act, §6-20-2502.

Public school academic facilities program, §6-21-803.

DEFINED TERMS —Cont'd**Loiter.**

School property and supplies,
§6-21-607.

Long-term substitute.

Educational support and
accountability act, §6-15-2907.
Teacher licensure, §6-15-1004.

Lower division credits.

Colleges and universities, transfer of
credits, §6-61-231.

Maintenance.

Open-enrollment public charter
schools capital grant program,
§6-23-801.

Maintenance, repair and renovation.

Arkansas public school academic
facilities fund act, §6-20-2502.
Public school academic facilities
program, §6-21-803.

Master's degree.

Teacher compensation program of
2003, §6-17-2402.

**Master's or doctoral nursing
education program.**

Advanced nursing practice and nurse
educator loans and scholarships,
§6-81-1201.

Material.

Education service cooperatives,
§6-13-1027.

**Materially and substantially
disrupts.**

Forming open and robust university
minds (FORUM) act, §6-60-1003.

Maximum expected millage.

Public school academic facilities
funding act, §6-20-2511.

Mechanical restraint.

Restraint of students, §6-18-2403.

Media services program.

Public school libraries, §6-25-103.

Medically underserved.

Osteopathic rural medical practice
student loans and scholarships,
§6-81-1802.

Rural medical practice student loans
and scholarships, §6-81-701.

Medication.

Asthma inhalers or auto-injectable
epinephrine.
Use by or administration to school
students, §6-18-707.

Meeting.

School property and supplies,
§6-21-202.

Member of school personnel.

Restraint of students, §6-18-2403.

DEFINED TERMS —Cont'd**Member of the family.**

Brighter future fund plan act,
§6-84-103.

Member of the uniformed services.

Succeed scholarship program,
§6-41-901.

Military installation.

Military child school transitions act of
2021 for students changing school
districts, §6-28-104.

Millage rate.

Arkansas public school academic
facilities fund act, §6-20-2502.
Public school funding act of 2003,
§6-20-2303.

Minor.

Schools, notice of disposition of minor
adjudicated delinquent or
convicted of criminal offense,
§6-10-134.

Minor child.

Colleges and universities, §6-60-210.

Minority.

Colleges and universities.
Reporting minority enrollment,
§6-61-124.
Geographical critical needs minority
teacher scholarship program,
§6-82-1503.
Higher education minority retention
programs, §6-61-121.

Miscellaneous funds.

Arkansas public school academic
facilities fund act, §6-20-2503.
Public school funding act of 2003,
§6-20-2303.

Month or major portion thereof.

Teachers' minimum sick leave,
§6-17-1202.

Motor vehicle.

Education.
Transportation, §6-19-110.

Multiple birth siblings.

Schools and education, classroom
assignments of multiple birth
siblings, §6-18-106.

National board.

Teachers, national board certification,
§6-17-412.

Nationally recognized rating agency.

Public school facilities funding act of
2007, §6-20-2602.

National school lunch students.

Open-enrollment public charter
schools capital grant program,
§6-23-801.

DEFINED TERMS —Cont'd**National school lunch students**
—Cont'dPublic school funding act of 2003,
§6-20-2303.Teacher recruitment incentives in
high-priority districts, §6-17-811.**Net athletic event gate receipts.**

Education, §6-20-417.

Net legal balance.

School finance, §6-20-2210.

Net legal balance revenues.

School finance, §6-20-2210.

Net proceeds from the state lottery.Academic challenge scholarship
program, §6-85-204.**Net revenues.**Public school funding act of 2003,
§6-20-2303.**New construction.**Arkansas public school academic
facilities fund act, §6-20-2502.Open-enrollment public charter
schools capital grant program,
§6-23-801.Public school academic facilities
program, §6-21-803.**New school district.**Interim personnel policy committee,
§6-17-209.**New unit of instruction.**

Postsecondary institutions, §6-61-208.

Noninstructional duties.

Teachers, §6-17-117.

Noninstructional time.

Education.

School property and supplies,
§6-21-202.**Nonlicensed staff position.**

Education, §6-17-414.

**Nonlottery state educational
resources.**Academic challenge scholarship
program, §6-85-204.**Nonmanagement classified
employee.**Education, personnel, etc., policies for
classified employees, §6-17-2302.**Nonprinted instructional materials.**Electronic versions of instructional
materials, §6-68-101.**Nonqualified withdrawal.**Brighter future fund plan act,
§6-84-103.**Nonresident district.**Continuity of education for public
school choice students, §6-18-108.

Public school choice, §6-18-1902.

DEFINED TERMS —Cont'd**Nonrevenue receipts of a school
district.**

Education.

Finances, §6-20-401.

Nontraditional scheduling.

Education, §6-18-507.

Novice teacher.Teacher excellence and support
system, §6-17-2803.**Nurse administrator.**Advanced nursing practice and nurse
educator loans and scholarships,
§6-81-1201.**Nurse educator.**

Loans and scholarships, §6-81-1201.

Open-enrollment charter schools,
§6-23-103.**Open market purchases.**

Education.

School property and supplies,
§6-21-301.**Operating expense.**

Postsecondary education

reorganization, §6-53-103.

Postsecondary institutions, §6-61-501.

Operator.Student online personal information
protection act, §6-18-109.**Ordinance delivery.**

Children of prisoners of war.

Scholarships, §6-82-601.

Organized physical activity course.

Courses of study.

Physical education credit for
physical activity courses,
§6-16-137.Payment for instruction in order to
participate, prohibition, §6-16-151.**Other aid.**

Scholarship stacking, §6-80-105.

Outdoor areas of campus.Forming open and robust university
minds (FORUM) act, §6-60-1003.**Owner.**Property of state institutions,
§6-62-601.**Panel.**

Postsecondary education

reorganization, §6-53-103.

Parent.

Charter schools, §6-23-103.

Education, §6-18-1102.

Home schooled students participating
in interscholastic activities,
§6-15-509.

Private schools, §6-15-510.

Public school choice, §6-18-1902.

DEFINED TERMS —Cont'd**Parent —Cont'd**

- Restraint of students, §6-18-2403.
- Schools and education, classroom assignments of multiple birth siblings, §6-18-106.
- Site-based decision making. Education, §6-13-1302.
- Succeed scholarship program, §6-41-901.

Participating institution.

- Tuition assistance for residents attending certain out-of-state schools, §6-81-1101.
- Veterinary medicine loan repayment assistance program, §6-81-1105.

Participating program.

- High school diploma, reengagement system and differentiated pathway to, §6-16-1503.

Passenger restraint system.

- School buses, §6-19-130.

Patriotic society.

- Patriotic access to students in schools act, §6-10-132.

Peer institution of higher education.

- Higher education consumer guide act, §6-61-1702.

Performance part of compensation.

- Rewarding excellence in achievement program, §6-15-2603.

Performance scholarships.

- Limitations on expenditures, §6-80-106.

Person.

- College savings bonds, §6-62-703.
- Property of state institutions, §6-62-601.

Personal electronic device.

- Schools and education, §6-18-515.

Personal identifying information.

- Questionnaires administered in school, parental authorization, §6-18-1303.

Personally identifiable information.

- Educational support and accountability act, §6-15-2903.

Person killed in action.

- Children's scholarships, §6-82-601.

Person killed on ordinance delivery.

- Children's scholarships, §6-82-601.

Person missing in action.

- Children's scholarships, §6-82-601.

Per-student revenue.

- Arkansas public school academic facilities fund act, §6-20-2503.

Physical escort.

- Restraint of students, §6-18-2403.

DEFINED TERMS —Cont'd**Physical restraint.**

- Restraint of students, §6-18-2403.

Placement test.

- Postsecondary preparatory programs, §6-16-601.

Planning grant.

- Graduate medical education residency expansion board, §6-82-2002.

Positive behavioral support.

- Restraint of students, §6-18-2403.

Positive drug screening result.

- Pre-employment and random drug screening of school personnel, §6-17-121.

Positive youth development program, §6-5-902.**Postsecondary preparatory program, §6-16-601.****Potential new workforce.**

- Existing workforce training act, §6-50-702.

Practice of food supply veterinary medicine.

- Veterinary medicine loan repayment assistance program, §§6-81-1105, 6-81-1106.

Preadvanced placement courses.

- Education, §§6-16-803, 6-16-1202.

Pre-apprenticeship.

- Vo-Tech training, §6-52-201.

Preservice teacher.

- Ethics, §6-17-428.

President.

- Colleges and universities, §6-60-114.

Previous school year.

- Public school funding act of 2003, §6-20-2303.

Previous year.

- Public school funding act of 2003, §6-20-2303.

- Teacher recruitment incentives in high-priority districts, §6-17-811.

Primary care medicine.

- Osteopathic rural medical practice student loans and scholarships, §6-81-1802.

- Rural medical practice student loans and scholarships, §6-81-701.

Primary jurisdiction.

- Institutional law enforcement officers, §6-13-1701.

Printed instructional materials.

- Electronic versions of instructional materials, §6-68-101.

Prisoner of war.

- Children's scholarships, §6-82-601.

DEFINED TERMS —Cont'd**Private scholarship.**

Arkansas future grant program,
§6-82-1801.

Probationary employee.

Public school employee fair hearing
act, §6-17-1702.

Probationary teacher.

Teacher fair dismissal, §6-17-1502.

Professional development.

Lifetime teaching licenses, §6-17-2602.

Public school funding act of 2003,
§6-20-2303.

Teachers, §6-17-704.

Professional growth plan.

Teacher excellence and support
system, §6-17-2803.

Program.

Advanced placement, §6-16-803.

Distance learning, §6-47-403.

Distance learning demonstration
project, §6-47-403.

Positive youth development grant
program, §6-5-902.

Program of study.

Vo-Tech schools, §6-51-602.

Program sponsor.

Vo-Tech training, §6-52-201.

Project.

Arkansas public school academic
facilities fund act, §6-20-2502.

College savings bonds, §6-62-703.

Postsecondary institutions, §6-61-1002.

Public school academic facilities
program, §6-21-803.

Project costs.

College savings bonds, §6-62-703.

Higher education technology and
facility improvement act of 2005,
§6-62-1103.

Postsecondary institutions, §6-61-1002.

Projected revenue from the uniform rate of tax.

Arkansas public school academic
facilities fund act, §6-20-2503.

Prone restraint.

Restraint of students, §6-18-2403.

Property.

Institutional law enforcement officers,
§6-13-1701.

Protected activity.

Student journalists, freedom of
expression, §6-60-1101.

Public access computers.

Education, internet filters, §6-21-111.

School computer use policy, §6-21-107.

Public charter school.

Charter schools, §6-23-103.

DEFINED TERMS —Cont'd**Public educational entities.**

Education, ethics, §6-24-102.

State board of education, disposition of
public property, §6-21-110.

Public institution of higher education.

Colleges and universities, transfer of
credits, §6-61-231.

Tuition reduction for police officers,
§6-60-213.

Public-public partnerships.

School districts, §6-20-414.

Public school.

Charter schools, §6-23-103.

Educational support and
accountability act, §6-15-2903.

Military child school transitions act of
2021 for students changing school
districts, §6-28-104.

Questionnaires administered in school,
parental authorization,
§6-18-1303.

Tornado safety drills, §6-10-121.

Public school district.

Arkansas public schools computer
network (APSCN), §6-11-128.

Education, §6-13-902.

Educational support and
accountability act, §6-15-2903.

Questionnaires administered in school,
parental authorization,
§6-18-1303.

Public school facility.

Public school academic facilities
program, §6-21-803.

Schoolhouse construction aid,
§6-20-1407.

Public school fraternity, sorority or other secret organization or society.

Education.

Students, §6-18-601.

Public school purpose.

Student online personal information
protection act, §6-18-109.

Public telecommunications.

Distance learning, §6-47-403.

Education, §6-47-403.

Punishment.

Restraint of students, §6-18-2403.

Pupil.

Vo-Tech schools, §6-51-602.

Purchase.

Education.

School property and supplies,
§6-21-301.

DEFINED TERMS —Cont'd**Purchase price.**

Education.

School property and supplies,
§6-21-301.

Purchasing official.

Education.

School property and supplies,
§6-21-301.

Qualified certificate program.

Academic challenge scholarship
program, §6-85-204.

Qualified grantee.

Tuition assistance for residents
attending certain out-of-state
schools, §6-81-1101.

**Qualified higher education
expenses.**

Brighter future fund plan act,
§6-84-103.

Qualified provider.

Energy savings contract, §6-20-405.

Qualified recipient.

Veterinary medicine loan repayment
assistance program, §6-81-1105.

Qualified rural community.

Osteopathic rural medical practice
student loans and scholarships,
§6-81-1802.

Rural medical practice student loans
and scholarships, §6-81-701.

Qualified student.

Education, §6-60-202.

Philanthropic investment in Arkansas
Kids Program, tax credit,
§6-18-2302.

Qualified tutor.

Tutoring corps, §6-15-3103.

Qualified tutoring site.

Tutoring corps, §6-15-3103.

Qualified withdrawal.

Brighter future fund plan act,
§6-84-103.

**Quarterly average daily
membership.**

Public school funding act of 2003,
§6-20-2303.

Questionnaire or survey.

Questionnaires administered in school,
parental authorization,
§6-18-1303.

Real property.

College and university improvements,
§6-71-101.

Receiving district.

Education finances, §6-20-502.

Military child school transitions act of
2021 for students changing school
districts, §6-28-104.

DEFINED TERMS —Cont'd**Receiving district —Cont'd**

Public education reorganization,
§6-13-1601.

School districts, annexation and
consolidation, §6-13-1401.

Recipient.

Academic challenge scholarship
program, §6-85-204.

Reconstitution.

Fiscal assessment and accountability
program, §6-20-1903.

Public school academic facilities
program, §6-21-803.

School district fiscal assessment and
accountability, §6-20-1903.

Registered volunteer.

Education, §6-22-103.

Related instruction.

Vo-Tech training, §6-52-201.

Representative.

International student exchange
placement organizations,
§6-18-1703.

Request for proposals.

School districts.

Energy savings contract, §6-20-405.

Reside.

Unlawful enrollment outside school
district, §6-18-202.

Resident.

Unlawful enrollment outside school
district, §6-18-202.

Resident district.

Continuity of education for public
school choice students, §6-18-108.

Public school choice, §6-18-1902.

Residential address.

Unlawful enrollment outside school
district, §6-18-202.

Residential school.

Vo-Tech schools, §6-51-602.

Resident school.

Home schooled students participating
in interscholastic activities,
§6-15-509.

Resident school district.

Home schooled students participating
in interscholastic activities,
§6-15-509.

Resulting district.

Public education reorganization,
§6-13-1601.

School districts, annexation and
consolidation, §6-13-1401.

**Revenue receipts of a school
district.**

Education.

Finances, §6-20-401.

DEFINED TERMS —Cont'd**Revenues.**

Public school funding act of 2003,
§6-20-2303.

School finance, §6-20-2210.

Rewarding excellence in achievement plan.

Education, §6-15-2603.

Rules.

Military child school transitions act of
2021 for students changing school
districts, §6-28-104.

Rural community.

Advanced nursing practice and nurse
educator student loans and
scholarships, §6-81-1201.

Salary increase.

Educational excellence trust fund,
§6-5-307.

Increase for district employees.

Review and approval by school
district board of directors,
§6-13-635.

Satellite campus.

Postsecondary education
reorganization, §6-53-103.

Satellite school.

Vo-Tech schools, §6-51-602.

Scholarship.

Governor's scholarships, §6-82-302.

High technology scholarships,
§6-82-401.

Scholarship-granting organization.

Philanthropic investment in Arkansas
Kids Program, tax credit,
§6-18-2302.

School.

Education.

Finances, §6-20-701.

Students, §6-18-1102.

Fairness in women's sports act,
§6-1-107.

Hunger-free students' bill of rights act,
§6-18-715.

Vo-Tech schools, §6-51-602.

School bus.

Education.

Transportation, §6-19-110.

Safety equipment, §6-19-117.

Use of cell phone while driving school
bus, §6-19-120.

School council of innovation.

School district of innovation program,
§6-15-2801.

School day.

Education curriculum, §6-16-102.

Restraint of students, §6-18-2403.

DEFINED TERMS —Cont'd**School district.**

Education financing, §6-20-701.

Fiscal assessment and accountability
program, §6-20-1903.

Public school academic facilities
program, §6-21-803.

Public school funding act of 2003,
§6-20-2303.

School district fiscal assessment and
accountability, §6-20-1903.

School finance, §6-20-2210.

School district board of directors.

Teacher of the year, §6-17-2502.

School district systems.

Educational support and
accountability act, §6-15-2903.

School district with a high dropout rate.

Additional truancy officers, §6-11-209.

School employee.

School employees' minimum sick leave,
§6-17-1302.

School endorsement.

School property and supplies,
§6-21-202.

School hiring officer.

Teachers and school personnel.

Code of ethics, §6-17-428.

School in need of support.

Closing the achievement gap program,
§6-15-2701.

School-level improvement plan.

Educational support and
accountability act, §6-15-2903.

School lunch program.

Education financing, §6-20-701.

School nurse.

Education, §6-18-706.

School official.

Civil War reenactments, §6-5-501.

School property and supplies,
§6-21-608.

School of innovation.

School district of innovation program,
§6-15-2801.

School-owned property, §6-21-608.**School premises.**

School property and supplies,
§6-21-608.

School property.

Civil War reenactments, §6-5-501.

School-sponsored media.

Student journalists, freedom of
expression, §6-60-1101.

Science of reading.

Right to read act (scientific reading
instruction), §6-17-429.

DEFINED TERMS —Cont'd**Secondary school.**

School property and supplies,
§6-21-202.

Secondary vocational area center.

Public school funding act of 2003,
§6-20-2303.

Secondhand smoke.

Clean air on campus, §6-60-803.

Second-lien bonds.

District school bonds, second-lien
commercial bonds, §6-20-1229.

Selective admission.

Building better futures programs for
students with intellectual
disabilities.

High school program, §6-41-802.

Institutions of higher education,
§6-41-702.

Self-administration.

Asthma inhalers or auto-injectable
epinephrine.

Use by school students, §6-18-707.

Self-funded projects.

Schoolhouse construction aid,
§6-20-1407.

Semester.

Academic challenge scholarship
program, §6-85-204.

Sending district.

Education.

Finances, §6-20-502.

Military child school transitions act of
2021 for students changing school
districts, §6-28-104.

Serious physical harm.

Restraint of students, §6-18-2403.

Service area.

Postsecondary education
reorganization, §6-53-103.

Sexual abuse.

Teachers and school personnel.

Code of ethics, §6-17-428.

Sexual orientation.

Schools and education.

Parental notice and consent
requirements, §6-16-1006.

Sibling.

School choice transfer, §6-1-106.

Sick leave.

School employees' minimum sick leave,
§6-17-1302.

Teachers' minimum sick leave,
§6-17-1202.

Site-based decision making.

Education, §6-13-1302.

Smart core.

ACT assessment, §6-18-1602.

DEFINED TERMS —Cont'd**Smart core —Cont'd**

Arkansas smart core incentive funding
program, §6-15-215.

Smart core graduate.

Arkansas smart core incentive funding
program, §6-15-215.

Smoking.

Clean air on campus, §6-60-803.

Social media accounts.

Social media accounts of current or
prospective employees, restrictions
on employer access.

Colleges and universities, §6-60-104.

Solicitor.

Vo-Tech schools, §6-51-602.

Space utilization.

Arkansas public school academic
facilities fund act, §6-20-2502.

Public school academic facilities
program, §6-21-803.

Special education.

Children with disabilities, §6-41-203.

**Special education high-cost
occurrences.**

Public school funding act of 2003,
§6-20-2303.

Specialized format.

Electronic versions of instructional
materials, §6-68-101.

Sponsor.

Workforce development center
authority act, §6-50-803.

Sponsorship.

School property and supplies,
§6-21-202.

Starting bonus.

Teachers, national board certification,
§6-17-412.

State aid.

Scholarship stacking, §6-80-105.

State board.

School district fiscal assessment and
accountability, §6-20-1903.

State correction employee.

Children scholarships, §6-82-501.

State employee.

Education, §6-3-110.

State forestry employee.

Children scholarships, §6-82-501.

State foundation funding aid.

Public school funding act of 2003,
§6-20-2303.

State funds.

Athletic program funds tracking,
§6-20-2002.

Education finances, §6-20-502.

DEFINED TERMS —Cont'd**State funds —Cont'd**

Scholastic activity funds tracking,
§6-20-2102.

State highway employee.

Children's scholarships, §6-82-501.

State institution of higher education.

College savings bonds, §6-62-703.

Higher education technology and
facility improvement act of 2005,
§6-62-1103.

State investing office.

Public school facilities funding act of
2007, §6-20-2602.

State legal education fund, §6-64-604.**Statement of assurance.**

Courses of study.

Physical education credit for
physical activity courses,
§6-16-137.

Statement of selective service status, §6-80-104.

Postsecondary education, §6-80-102.

State minimum core curriculum.

Colleges and universities, transfer of
credits, §6-61-231.

State parks employee.

Children scholarships, §6-82-501.

State-supported educational institution.

Existing workforce training act,
§6-50-702.

State-supported institution of higher education.

Forming open and robust university
minds (FORUM) act, §6-60-1003.

Higher education consumer guide act,
§6-61-1702.

State-supported student financial assistance.

Academic challenge scholarship
program, §6-85-204.

Arkansas future grant program,
§6-82-1801.

State wealth index.

Arkansas public school academic
facilities fund act, §6-20-2503.

Statewide assessment of student achievement.

Teacher excellence and support
system, §6-17-2803.

Stress dose medication.

Schools and education.

Adrenal insufficiency or crisis,
administration of medication,
§6-18-718.

DEFINED TERMS —Cont'd**Structural integrity.**

Electronic versions of instructional
materials, §6-68-101.

Structured literacy.

Right to read act (scientific reading
instruction), §6-17-429.

Student.

Arkansas concurrent challenge
scholarship program, §6-85-402.

Clean air on campus, §6-60-803.

Forming open and robust university
minds (FORUM) act, §6-60-1003.

Military child school transitions act of
2021 for students changing school
districts, §6-28-104.

Restraint of students, §6-18-2403.

Social media accounts of current and
prospective students and
employees.

Colleges and universities, §6-60-104.

Teacher dual license incentive
program, §6-81-607.

Teachers and school personnel.

Code of ethics, §6-17-428.

Vo-Tech schools, §6-51-602.

Student aid package.

Scholarship stacking, §6-80-105.

Student growth funding.

Public school funding act of 2003,
§6-20-2303.

Student journalist, §6-60-1101.

Student publications and
school-sponsored media,
§6-18-1205.

Student media.

Student publications and
school-sponsored media,
§6-18-1205.

Student media advisor.

Student journalists, freedom of
expression, §6-60-1101.

Student publications and
school-sponsored media,
§6-18-1205.

Student organization.

Forming open and robust university
minds (FORUM) act, §6-60-1003.

Student success plan.

Educational support and
accountability act, §6-15-2903.

Student with disabilities.

Education.

Finances, §6-20-502.

Restraint of students, §6-18-2403.

Succeed scholarship program,
§6-41-901.

DEFINED TERMS —Cont'd**Substantial disruption.**

Education, §6-18-514.

Summative evaluation.

Teacher excellence and support system, §6-17-2803.

Superintendent.

Teacher of the year, §6-17-2502.

Superintendent of schools.

School districts, §6-13-109.

Superscore.

Academic challenge scholarship program, §6-85-204.

Supervisor.

Education.

School property and supplies, §6-21-608.

Supine restraint.

Restraint of students, §6-18-2403.

Supplant.

Academic challenge scholarship program, §6-85-204.

Supplementary instruction.

Vo-Tech training, §6-52-201.

Suspension.

Education, §6-18-507.

System institution.

Postsecondary education reorganization, §6-53-103.

Targeted advertising.

Student online personal information protection act, §6-18-109.

Taxpayer.

Philanthropic investment in Arkansas Kids Program, tax credit, §6-18-2302.

Taxpayer employee.

Brighter future fund plan act, §6-84-111.

Taxpayer employer.

Brighter future fund plan act, §6-84-111.

Teacher.

Children scholarships, §6-82-501.

Corporal punishment, §6-17-112.

Education.

Personnel, §§6-17-805, 6-17-902.

Teachers' minimum sick leave, §6-17-1202.

Teacher compensation, §6-17-2406.

Teacher compensation program of 2003, §6-17-2402.

Teacher excellence and support system, §6-17-2803.

Teacher fair dismissal, §6-17-1502.

Teacher of the year, §6-17-2502.

Teacher recruitment incentives in high-priority districts, §6-17-811.

DEFINED TERMS —Cont'd**Teacher education program,**

§6-81-1602.

Teacher or school administrator.

School student discipline policy contents, §6-18-503.

Teachers of the gifted and talented.

Public school funding act of 2003, §6-20-2303.

Teaching experience.

Lifetime teaching licenses, §6-17-2602.

Technical college.

Postsecondary education reorganization, §6-53-103.

Postsecondary institutions, §6-61-1002.

Technology.

Public school funding act of 2003, §6-20-2303.

Technology projects.

Higher education technology and facility improvement act of 2005, §6-62-1103.

Tech-prep education program.

Postsecondary education reorganization, §6-53-501.

Total renovation.

Water bottle filling stations at schools, §6-21-119.

Traditional member of the National Guard or federal reserves.

Military child school transitions act of 2021 for students changing school districts, §6-28-104.

Traditional students.

Academic challenge scholarship program, §6-85-204.

Trainee.

Vo-Tech schools, §6-51-602.

Transaction.

Student protection act, §6-18-2202.

Transfer.

Property of state institutions, §6-62-601.

Transfer students.

Colleges and universities, transfer of credits, §6-61-231.

Public school choice, §6-18-1902.

Transition.

Military child school transitions act of 2021 for students changing school districts, §6-28-104.

Tuition.

Tuition reduction for police officers, §6-60-213.

Tuition and fees.

Succeed scholarship program, §6-41-905.

DEFINED TERMS —Cont'd**Undergraduate student.**

Governor's scholarships, §6-82-302.

Uniformed services.

Military child school transitions act of 2021 for students changing school districts, §6-28-104.

Uniform rate of tax.

Public school funding act of 2003, §6-20-2303.

Unused or underutilized public school facility.

Public school academic facilities program, §6-21-803.

Upper-level course.

Postsecondary institutions, §6-61-528.

Upper-level program.

Postsecondary institutions, §6-61-528.

Used school bus, §6-21-306.**Vertical team.**

Advanced placement courses, §6-16-1202.

Veteran.

Military child school transitions act of 2021 for students changing school districts, §6-28-104.

Video recording device.

School buses.

Safety equipment grant pilot program, §6-19-125.

Vocational-technical school.

Workforce development center authority act, §6-50-803.

Volunteer.

Education, §6-22-103.

Week.

Uniform dates for beginning and end of school year, §6-10-106.

Workforce development center, §6-50-803.**Workforce development center authority, §6-50-803.****Yearly bonus.**

Teachers, national board certification, §6-17-412.

Years of service.

Teachers and school personnel.
Minimum compensation schedule, §6-17-2403.

Youth apprenticeship.

Vo-Tech training, §6-52-201.

Youth athletic activity.

Student athlete concussion education, §6-18-710.

DEHYDRATION.**Physical activity in schools.**

Procedures and staff training as to health and safety conditions, §6-18-708.

DELTA STUDENT ACADEMIC SUCCESS PLAN, §6-15-1901.**DENTISTRY SCHOOLS.**

Tuition assistance for residents attending out of state schools, §6-81-1101.

University of Arkansas for medical sciences.

Dental education center, §6-64-421.

DENTISTS AND DENTISTRY.**Education.**

Out-of-state professional dental programs.

Repayment of tuition by state of Arkansas, §§6-81-1103, 6-81-1104.

Tuition assistance for residents attending out-of-state schools, §6-81-1101.

School tuition assistance, §6-81-1101.

Tuition assistance for students attending out of state dentistry school, §6-81-1101.

University of Arkansas.

School of dental hygiene.
Established, §6-64-411.

University of Arkansas for medical sciences.

Dental education center, §6-64-421.

DEPOSITS.**Education.**

School funds, §6-20-222.

DESEGREGATION.**Education.**

Annexation or consolidation may not hamper, delay or negatively affect, §6-13-1408.

Charter schools.

Impact on school desegregation, §6-23-106.

Notices by district subject to desegregation order, §6-13-113.

Quality education act.

Development of rules and standards.
Attainment of unitary status for districts not released from court supervision over desegregation obligations, §6-15-202.

DIABETES.**Students with diabetes.**

Monitoring and treatment functions by students, §6-18-711.

DIGITAL CAMERAS.**School discipline policy and exemptions concerning possession and use by students.**

Personal electronic devices.

School district may establish, §6-18-515.

DIGITAL LEARNING ACT,

§§6-16-1401 to 6-16-1406.

DIGITAL MEDIA PLAYERS.**School discipline policy and exemptions concerning possession and use by students.**

Personal electronic devices.

School district may establish, §6-18-515.

DISABILITIES, INDIVIDUALS WITH.**Building better futures programs for students with intellectual disabilities.**

High school program, §§6-41-801 to 6-41-805.

Institutions of higher education, §§6-41-701 to 6-41-705.

Colleges and universities.

Immunization of enrollees.

Physical disabilities, §6-60-504.

Corporal punishment of students with disabilities, prohibition,

§§6-17-112, 6-17-1113, 6-18-503.

Dyslexia and related learning disorders,

§§6-41-601 to 6-41-612.

Education funds for children with disabilities or foster children,

§§6-20-501 to 6-20-510.

Funds.

Education funds for children with disabilities or foster children, §§6-20-501 to 6-20-510.

School buildings and facilities.

Americans with disabilities act compliance committee, §6-21-817.

Succeed scholarship program,

§§6-41-901 to 6-41-908.

DISASTERS.**Education.**

Academic facilities catastrophic program.

State financial assistance, §6-20-2508.

DISCRIMINATION.**Charter schools.**

Impact on school desegregation, §6-23-106.

Colleges and universities.

Athletic programs.

Women's athletic programs.

Nondiscriminatory application of subchapter, §6-62-806.

Electronic versions of instructional materials.

Failure to comply with provisions as act of discrimination, §6-68-108.

Employees.

Affirmative action programs, §6-63-103.

Forming open and robust university minds (FORUM) act.

Student organizations, nondiscrimination, §6-60-1006.

Education.

Annexation and consolidation of school districts.

Annexation or consolidation may not hamper, delay or negatively affect desegregation, §6-13-1408.

Charter schools.

Impact on school desegregation, §6-23-106.

Event or activity held at location that discriminates, §6-10-114.

Teachers.

Teacher opportunity program.

Discrimination prohibited, §6-81-606.

DISEASES.**Colleges and universities.**

Immunization of enrollees, §§6-60-501 to 6-60-504.

Meningococcal disease warning, §6-61-123.

Education.

Immunization required for children admitted to school, §6-18-702.

Private schools.

Immunization required, §6-18-702.

Schools and education.

Communicable diseases.

Procedures and staff training as to health and safety conditions, §6-18-708.

DISORDERLY HOUSES.

Where prohibited, §6-2-113.

DISPUTE RESOLUTION.**Private resident and**

correspondence schools.

State board of private career education, §6-51-617.

DISTANCE LEARNING.

Demonstration projects, §§6-47-201 to 6-47-304.

Development projects, §§6-47-401 to 6-47-406.

Teacher shortages.

Effort to ease burden, §6-16-136.

DISTRICTS.

Agricultural colleges, §§6-65-101 to 6-65-112.

Colleges and universities.

Improvement districts, §§6-71-101 to 6-71-142.

Technical college districts, §§6-53-601 to 6-53-605.

Vocational education and rehabilitation.

Schools, §6-51-215.

DISTURBING THE PEACE.**Education.**

Persons not students.

Penalty, §6-21-606.

DIVISION OF PUBLIC SCHOOL**ACADEMIC FACILITIES AND**

TRANSPORTATION, §§6-21-112, 6-21-115.

DOMESTIC VIOLENCE.**Schools and education.**

Anonymous reporting by students.

ARSafeSchools, school safety and crisis line, §§6-18-111, 6-18-112.

Dating violence awareness courses of study, §6-16-1004.

DONATIONS.**School districts.**

Donation of real property.

Requisition, right of first refusal, §6-21-108.

DOOR TO DOOR SALES.

Elementary school fundraising, §§6-18-1101 to 6-18-1104.

DRESS CODES IN PUBLIC

SCHOOLS, §6-18-102.

Discipline policy contents, §6-18-503.

DRINKING WATER.**School buildings and facilities.**

Water bottle filling stations, §6-21-119.

DRIVER EDUCATION AND TRAINING.**Disabilities, persons with.**

Accessible parking for persons with disabilities, §6-16-508.

Parking for persons with disabilities.

Instruction regarding, §6-16-508.

DRIVER EDUCATION AND TRAINING —Cont'd**Private resident and****correspondence schools.**

Defensive driving instruction, §6-51-623.

Noncommercial driver training instruction, §6-51-622.

DRIVERS' LICENSES.

School bus drivers, §6-19-106.

Certification, §6-19-108.

Driving records, §6-19-107.

Suspension.

Unexcused absences from school, §6-18-222.

DRIVING OR BOATING WHILE INTOXICATED.**District courts.**

Additional costs on conviction of driving while under the influence of intoxicants, §6-17-109.

Disposition of funds, §6-17-109.

DRUG PARAPHERNALIA.**School property and supplies.**

Donation of lab equipment seized under drug paraphernalia law, §6-21-102.

DRUGS AND CONTROLLED SUBSTANCES.**Drug paraphernalia.**

School property and supplies.

Donation of lab equipment seized under drug paraphernalia law, §6-21-102.

Evidence.**Education.**

Concealing drugs in school property.

Admissibility of evidence, §6-21-608.

Recordkeeping requirements.

Ephedrine combination products, pseudoephedrine and phenylpropanolamine.

Log or receipts of transactions, §6-64-1103.

Schools and education.

Concealing drugs.

Confiscation without warrant, §6-21-608.

Definitions, §6-21-608.

Discipline of student, §6-21-608.

Pre-employment and random drug screening of school personnel, §6-17-121.

Reporting student drug abuse.

Immunity from civil liability, §6-17-107.

DRUGS AND CONTROLLED SUBSTANCES —Cont'd

Teachers.

- Reporting student drug abuse.
- Immunity from civil liability, §6-17-107.

DRUG TESTING.

School personnel.

- Pre-employment and random drug screening, §6-17-121.

DYSLEXIA.

Schools and education.

- Dyslexia and related learning disorders, §§6-41-601 to 6-41-612.

E

EARLY CHILDHOOD PROGRAMS.

ABC program, §§6-45-101 to 6-45-111.

EARTHQUAKES.

Public schools to conduct earthquake safety drills, §6-10-121.

EASEMENTS.

Agricultural colleges.

- Arkansas Polytechnic College.
- Authority to grant easements, §6-65-305.
- Proceeds.
- Disposition, §6-65-305.

EAST ARKANSAS COMMUNITY COLLEGE.

Crowley's Ridge Technical Institute merger, §§6-51-1101 to 6-51-1106.

- Applicability of provisions, §6-51-1101.
- Board of trustees, §6-51-1102.
- Effect of merger, §6-51-1101.
- Funding, transfers, §§6-51-1105, 6-51-1106.
- Governing provisions, §6-51-1101.
- Purchasing procedures, §6-51-1103.
- Transfer of assets, obligations and property, §6-51-1104.

President.

- Housing allowance, §6-61-525.

E-CIGARETTES AND E-CIGARETTE PRODUCTS.

School property.

- Prohibited use, §6-21-609.

EDUCATION.

Charter schools, §§6-23-101 to 6-23-1008.

Home schooling, §§6-15-501 to 6-15-510.

EDUCATIONAL TELEVISION.

Audits.

- Appropriations.
- Prerequisites to availability of appropriation, §6-3-110.
- Revolving cash fund, §6-3-109.

Budgets.

- Requests, §6-3-111.

Commission.

- Agents, §6-3-104.
- Allowances, §6-3-102.
- Appointment of members, §6-3-102.
- Compensation of members, §6-3-102.
- Conflicts of interest, §6-3-102.
- Contracts.

- Power to execute contracts, §6-3-106.

- Created, §6-3-101.

- Duties, §6-3-105.

- Eminent domain power, §6-3-113.

- Employees, §6-3-104.

- Established, §6-3-101.

- Expenses of members, §6-3-102.

- Gifts or grants.

- Acceptance, §6-3-107.

- Meetings.

- Organizational meeting, §6-3-103.

- Membership, §6-3-102.

- Mileage, §6-3-102.

- No further responsibility after furnishing or installing equipment, §6-3-108.

- Purpose, §6-3-105.

- Qualifications of members, §6-3-102.

- Revolving cash fund, §6-3-109.

- Rules, §6-3-103.

- Successors, §6-3-102.

- Terms of members, §6-3-102.

- Vacancies in office, §6-3-102.

Conflicts of interest.

- Commission, §6-3-102.

Contracts.

- Commission.

- Power to contract, §6-3-106.

Employees.

- Supervision of state employees of division, §6-3-110.

Facilities lease.

- Authorization, §6-3-112.

Funds.

- Revolving cash fund.
- Audit, §6-3-109.
- Authorized, §6-3-109.
- Records, §6-3-109.

Gifts.

- Commission.
- Acceptance of gifts or grants, §6-3-107.

EDUCATIONAL TELEVISION

—Cont'd

Records.

Revolving cash fund, §6-3-109.

Revolving cash fund, §6-3-109.**Rules.**

Commission, §6-3-103.

EDUCATION DEPARTMENT.**Division of elementary and secondary education.**

ABC program.

Assessment, §6-45-110.

Certification, §6-45-109.

Administrative rules.

Financial impact statements,
§6-11-132.

Alternative learning environments.

Duties as to, §6-48-104.

Rulemaking to implement
provisions, §6-48-104.

American College Test assessment.

Universal ACT assessment program,
§§6-18-1601 to 6-18-1608.

ARKids first program.

Information about availability,
distribution, §6-10-118.

Assessment coordination division.

Information sharing, §6-1-105.

Charter schools.

Open-enrollment public charter
schools.

Initial year of operation.

Review, §6-23-406.

Civil rights protection.

Equity assistance center, §6-10-111.

Civil rights section for school districts.

Establishment, §6-10-111.

Federal civil rights agency.

Liaison with, §6-10-111.

Reports by school districts.

Annual reports, §6-10-111.

Closing the achievement gap program.

Duties as to, §6-15-2701.

Comprehensive plan for consistency
and rigor in course work.Academic content standards and
curriculum frameworks process,
§6-15-1504.Copies of documents on file,
admissibility as evidence,
§6-11-117.

Discipline in public schools.

Reporting on exclusionary
disciplinary actions, §6-18-516.Educational support and
accountability act.

Administrative support, §6-15-2918.

EDUCATION DEPARTMENT —Cont'd**Division of elementary and****secondary education —Cont'd**

Educational support and

accountability act —Cont'd

Development of comprehensive
accountability system,
§6-15-2904.

Education service cooperatives.

Assignment of agency personnel,
§6-13-1012.

Fiscal distress.

Powers and duties of division,
§§6-13-1028, 6-13-1029.Removal from fiscal distress
status.

Certification, §6-13-1030.

Sharing and coordination of
activities, §6-13-1014.

Equity assistance center, §6-10-111.

Financial impact statements for
administrative rules, §6-11-132.Illegal acts involving school officials,
§6-21-410.Immunity from liability for enforcing
policy compliant with state or
federal law, §6-10-131.

Internet website.

Data accessible on website,
§6-11-129.

Medicaid.

Report of school districts
underperforming in
direct-service Medicaid billing,
§6-10-119.Public school accountability division,
§6-15-102.

School buses.

Mirrors.

Rules, §6-19-116.

School discipline.

Reporting on exclusionary
disciplinary actions, §6-18-516.School performance report act,
§§6-15-1401, 6-15-1402.School worker defense program,
§§6-17-1113, 6-17-1118.

Teacher of the year.

Division responsibilities, §6-17-2505.

Generally, §§6-17-2501 to 6-17-2506.

Traveling teacher program, §6-13-808.

Universal ACT assessment program,
§§6-18-1601 to 6-18-1608.**EDUCATION SERVICE****COOPERATIVES, §§6-13-1001 to
6-13-1031.**

ELECTIONS.**Bond issues.**

Higher education technology and
facility improvement, §6-62-1108.

Colleges and universities.

Improvement districts.

Approval of chapter.

Election method, §6-71-105.

Community colleges.

Local boards.

Members, §6-61-520.

Millage taxes, §6-61-522.

Education.

Facilities funding act of 2007.

Election on bond issuance,

§6-20-2617.

School elections, §§6-14-101 to
6-14-124.

Identification of qualified voters.

Verification of voter registration when
voting.

School district elections, §6-14-123.

Notice.

Technical college districts.

Formation and ad valorem tax levy,
§6-53-602.

Proof of identification.

Verification of voter registration when
voting.

School district elections, §6-14-123.

School elections, §§6-14-101 to

6-14-124.

Technical college districts.

Formation and ad valorem tax levy,
§6-53-602.

**Vocational education and
rehabilitation.**

Postsecondary vocational and technical
education.

Technical colleges.

County designation of undedicated
sales and use tax for,
§6-53-307.

Voting.

Verification of voter registration when
voting.

School district elections, §6-14-123.

ELECTRICITY.**Colleges and universities.**

Electrical energy advancement
program.

Board, §§6-61-1502, 6-61-1503.

Statewide energy consortium,
§6-61-1501.

Statewide energy consortium.

Electrical energy advancement
program, §6-61-1501.

Board, §§6-61-1502, 6-61-1503.

ELECTRONIC CIGARETTES.**School property.**

Prohibited use, §6-21-609.

ELEMENTARY SCHOOL

**FUNDRAISING, §§6-18-1101 to
6-18-1104.**

**Declarations of general assembly,
§6-18-1101.**

Definitions, §6-18-1102.

Legislative findings, §6-18-1101.

Notice of participation, §6-18-1104.

Penalties, §6-18-1103.

Procedure, §6-18-1104.

Violations, §6-18-1103.

E-MAIL.**Colleges and universities.**

Privacy policy regarding electronic
communications, §6-61-126.

Social media accounts of prospective or
current employees or students.

Restrictions on use, §6-60-104.

EMERGENCIES.**Education.**

Center for school safety.

Advisory board, §6-15-1305.

Emergency operations and
communications plans, §6-15-1302.

First aid personnel, §6-17-102.

EMERGENCY MANAGEMENT.**Division of emergency management.**

Public schools.

Tornado and earthquake safety
drills, §6-10-121.

School district floor plan.

On file with emergency management
coordinator, §6-10-125.

EMERGENCY MEDICAL SERVICES.**Scholarships.**

Children of emergency medical
technicians, §§6-82-501 to
6-82-507.

**EMERGENCY TELEPHONE
SERVICE.****Colleges and universities.**

Panic button alert system, §6-61-140.

Schools and education.

Emergency operations and
communications plans, §6-15-1302.

EMINENT DOMAIN.**Agricultural colleges.**

Arkansas State University system,
§6-65-203.

Appeals, §6-65-203.

Procedure, §6-65-203.

EMINENT DOMAIN —Cont'd**Agricultural colleges —Cont'd**
Southern Arkansas University,
§6-65-403.Action brought in name of state,
§6-65-403.

Appeals, §6-65-403.

Board of trustees.

Resolution, §6-65-403.

Prosecuting attorneys.

Duty, §6-65-403.

Colleges and universities.Action brought in name of board of
trustees, §6-62-201.Granting power to state colleges and
universities.

Exception, §6-62-201.

Legal representation of board.

Attorney general and prosecuting
attorneys to represent board,
§6-62-201.Procedure followed in action,
§6-62-201.

Resolution, §6-62-201.

Education.

School districts.

Power granted school districts,
§6-13-103.**Educational television commission
authority, §6-3-113.****School districts.**

Power granted, §6-13-103.

EMPLOYMENT RELATIONS.**Education.**Existing workforce training act,
§§6-50-701 to 6-50-705.Workforce development center
authority act, §§6-50-801 to
6-50-810.**Training.**Existing workforce training act,
§§6-50-701 to 6-50-705.Workforce development center
authority act, §§6-50-801 to
6-50-810.**University of Arkansas.**

Accounts and accounting.

Monthly accounts, §6-64-1005.

Salaries and compensation, §6-64-210.

Vocational education.Apprenticeship training program,
§§6-52-201 to 6-52-208.**ENERGY.****Arkansas energy summary and
report, §§6-61-1601 to 6-61-1603.**Institutional energy research
committee, §6-61-1602.Creation and adoption of summary
and report, §6-61-1603.

Legislative findings, §6-61-1601.

State supported institutions of higher
education participating in energy
research.

Collaboration, §6-61-1601.

Subjects included in report,
§6-61-1603.**Colleges and universities.**Electrical energy advancement
program.

Board, §§6-61-1502, 6-61-1503.

Statewide energy consortium,
§6-61-1501.**Statewide energy consortium.**Electrical energy advancement
program, §6-61-1501.

Board, §§6-61-1502, 6-61-1503.

ENERGY SAVINGS CONTRACT.**School districts, §6-20-405.****ENGLISH LANGUAGE.****Education.**Basic language of instruction,
§6-16-104.**EPHEDRINE COMBINATION****PRODUCTS,****PSEUDOEPHEDRINE AND****PHENYLPROPANOLAMINE.****Log or receipts of transactions.**Information required of persons
purchasing, receiving or otherwise
acquiring, §6-64-1103.Pharmacy required to keep,
§6-64-1103.**Sales.**

Unlawful sale, §6-64-1103.

Unlawful sale, §6-64-1103.**EPINEPHRINE.****School districts and charter schools.**Use by or administration to school
students, §6-18-707.**EVALUATION CENTER.****Arkansas evaluation center,**

§§6-5-701 to 6-5-703.

EVIDENCE.**Controlled substances.**

Education.

Concealing drugs in school property.
Admissibility of evidence,
§6-21-608.

Education.

Concealing guns and drugs in school property.
Admissibility of evidence obtained,
§6-21-608.

Division of elementary and secondary education.

Copies of documents on file,
admissibility as evidence,
§6-11-117.

Narcotic drugs.

Education.

Concealing drugs in school property.
Admissibility of evidence,
§6-21-608.

Weapons.

Schools.

Concealing guns in school property.
Admissibility of evidence,
§6-21-608.

EXAMINATIONS.**Eye and vision screenings and eye examinations for students,**

§§6-18-1501 to 6-18-1506.

Commission on eye and vision care of school-age children, §§6-18-1801 to 6-18-1803.

EXCHANGE STUDENTS.

International student exchange visitor placement organizations,
§§6-18-1701 to 6-18-1708.

EXISTING WORKFORCE TRAINING ACT, §§6-50-701 to 6-50-705.**Basic skills training.**

Defined, §6-50-702.

Citation, §6-50-701.**Creation of program, §6-50-703.****Definitions, §6-50-702.****Eligible recipients.**

Defined, §6-50-702.

Grant funds.

Uses, §6-50-705.

Program, §6-50-703.

Rules, §6-50-704.

Purpose, §6-50-703.**Rules, §6-50-704.****Short title, §6-50-701.****Tax credits, §6-50-704.**

Uses, §6-50-705.

Uses for grant funds or tax credits,
§6-50-705.

EYE EXAMS.

School students, §§6-18-1501 to 6-18-1506.

EYE PROTECTION.

Education, §6-10-113.

Colleges and universities, §6-61-108.
Vocational and technical schools,
§6-51-102.

F**FACSIMILE SIGNATURES.**

Public school facilities funding act of 2007.

Signatures on bonds, §6-20-2607.

FAIRNESS IN WOMEN'S SPORTS ACT.

School sports teams to be based on biological sex, §6-1-107.

FALSE ACADEMIC CREDENTIALS,
§6-61-135.

FARMS AND FARMING.**Schools and education.**

Farm to school and early childhood education program, §§6-18-2101 to 6-18-2103.

FAX.**Colleges and universities.**

Privacy policy regarding electronic communications, §6-61-126.

FEDERAL AID.**Agricultural colleges.**

Arkansas State University.
Participation in federal aid.
Authorized, §6-65-205.

Colleges and universities.

Board of higher education.
State agency for federal programs,
§6-61-212.
Student incentive grant program,
§6-61-401.

Community colleges.

State community college board.
Administration of funds, §6-61-506.

Education.

Acceptance, §6-11-113.
Children in institutions.
Qualifications for federal benefits,
§6-11-120.
Disabilities, children with, §6-41-221.
Early childhood and adult education act.
State board of education to administer federal funds,
§6-16-302.

FEDERAL AID —Cont'd**Education —Cont'd**

Exceptional children.

Gifted and talented children.

Disbursing agency for federal funds, §6-42-105.

School districts.

Interest-free loans from federal agencies.

Acceptance by school district, §6-20-411.

State board of education.

Designated as agency to receive and administer.

Early childhood and adult education act, §6-16-302.

State treasurer.

Trustee for funds, §6-11-113.

University of Arkansas.

Division of agriculture.

Acceptance of federal aid, §6-64-701.

University of Central Arkansas.

Participation in federal and state aid.

Authorized, §6-67-104.

Vocational education and rehabilitation.

State board of vocational education.

Designation as state educational authority, §6-11-113.

FEES.**Colleges and universities.**

Motor vehicles.

License fees, §6-51-101.

Senior citizens.

Waiver of general student fee charges for persons over sixty, §6-60-204.

Tuition.

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents, §6-82-601.

Community colleges.

Activity fees, §6-61-523.

Motor vehicles used by schools exempt from taxes and license fees, §6-51-101.

Student fees, §6-61-523.

Corporations.

Educational institutions.

Payment to secretary of state, §6-2-108.

Education.

Advanced placement tests.

Subsidized fees, §6-16-804.

Summer school programs, §6-16-702.

Private resident and**correspondence schools.**

Extension course sites, §6-51-608.

FEES —Cont'd**Private resident and****correspondence schools —Cont'd**

Investigations.

Witness fees and mileage, §6-51-619.

Licenses, §6-51-610.

Satellite schools, §6-51-608.

University of Arkansas for medical sciences.

Medical department.

Collection and disposition, §6-64-408.

Matriculation and tuition fees, §6-64-408.

Vocational education and rehabilitation.

Motor vehicles used by schools exempt from taxes and license fees, §6-51-101.

Student fees, §6-51-208.

Disposition of income, §6-51-210.

FEMININE HYGIENE PRODUCTS.

Schools, availability at no charge, §6-18-717.

FINES.**Agricultural colleges.**

Faculty and employees.

Hiring restrictions, §6-65-107.

Sale of farm products.

Disposition of proceeds, §6-65-110.

Alcoholic beverages.

Education.

Sales prohibited near educational institutions, §6-2-113.

Minors.

Sales near schools, §6-2-113.

Schools.

Sales near, §6-2-113.

Brothels prohibited near

educational institutions, §6-2-113.

Colleges and universities.

Clean air on campus.

Enforcement of provisions, §6-60-807.

Correspondence courses.

Licenses, §6-51-612.

Violation of chapter, §6-51-615.

Education.

Alcoholic beverages.

Sales prohibited near educational institutions, §6-2-113.

Annoying conduct by trespassers, §6-21-606.

Attendance reports.

Falsification, §6-18-219.

Brothels.

Prohibited near educational institutions, §6-2-113.

FINES —Cont'd**Education —Cont'd**

- Degrees, diplomas and honors.
- Conferred unlawfully, §6-2-111.
- Elementary or secondary education.
- School law violations, §6-10-102.
- Smoking on school grounds, §6-21-609.
- Ethics violations, §6-24-115.
- Fire hazards inspections, §6-21-106.
- Gambling.
- Prohibited near educational institutions, §6-2-113.
- Insult or abuse of teacher, §6-17-106.
- Loitering on or near school grounds, §6-21-607.
- Postsecondary institutions.
- Course requirements, §6-61-105.
- Incorporation and certification requirements, §6-61-301.
- School districts.
- Fraudulent use of school district funds by treasurer, §6-13-701.
- Schools for the Blind and Deaf.
- Attendance violations, §6-43-105.
- Smoking on school grounds, §6-21-609.
- Textbooks.
- Illegal acts involving school officials, §6-21-410.
- Trespassers.
- Annoying conduct by, §6-21-606.
- Unlawful enrollment of students outside district, §6-18-202.
- False academic credentials, use of,** §6-61-135.
- Fraternities, sororities, etc.,** §6-18-602.
- Fraud.**
- School districts.
- Fraudulent use of district funds by treasurer, §6-13-701.
- Gambling.**
- Prohibited near educational institutions, §6-2-113.
- Loitering.**
- School grounds, §6-21-607.
- Private resident and correspondence schools,** §6-51-618.
- Licenses.
- Operating school without, §6-51-612.
- Violations of chapter, §6-51-615.
- School bus drivers.**
- Cell phone, use while driving bus, §6-19-120.
- School buses.**
- Seating, overcrowding, §6-19-119.

FINES —Cont'd**Schools.**

- Gambling near, §6-2-113.
- Smoking, §6-21-609.

Smoking.

- School grounds, §6-21-609.

Sororities, §6-18-602.**Trespass.****Schools.**

- Annoying conduct by trespassers, §6-21-606.

FINGERPRINTS.**Education.**

- Criminal background checks, §6-17-417.

FIREARMS AND OTHER WEAPONS.**Civil War reenactments.**

- Carrying weapons on school property, §§6-5-501, 6-5-502.

Education.

- Civil War reenactors carrying weapons on school property, §6-5-501.
- Concealed guns on school property, §6-21-608.

Evidence.**Schools.**

- Concealing guns in school property.
- Admissibility of evidence, §6-21-608.

Hunting.

- Public schools, hunting safety course, §6-16-153.

Schools.

- Civil War reenactors carrying weapons on school property, §6-5-501.
- Concealed guns, possession on school property unlawful, §6-21-608.
- Hunting safety course as part of school curriculum, §6-16-153.

FIREFIGHTERS AND FIRE DEPARTMENTS.**Scholarships.**

- Children of firefighters, §§6-82-501 to 6-82-507.

FIRE MARSHAL.**Education.**

- Fire marshal program, §6-10-110.

FIRES AND FIRE PREVENTION.**Education.**

- Closing of schools for breaks.
- Fire hazards inspection prior to, §6-21-106.
- Fire marshal program, §6-10-110.

SAU Tech fire training academy.

- Transfer of appropriations, §6-65-412.

FLAGS.**Colleges and universities**, §6-60-110.**Education.**

American flag.

Furnished schools, §6-16-105.

Instruction of pupils, §6-16-105.

Arkansas flag.

Display by public schools, §6-16-106.

Procurement by public schools,
§6-16-106.**Private schools.**

United States flag.

Display by private schools,
§6-16-105.**FOOD.****Schools.**Distribution of excess food to students,
§6-18-716.**FOOTBALL.****University of Arkansas.**

Radio broadcasts, §6-64-104.

**FOOTHILLS TECHNICAL
INSTITUTE.****Arkansas state university-Searcy.**Merger and name change, §§6-56-101
to 6-56-110.**FOREIGN LANGUAGE
INSTRUCTION.****Early grades foreign language pilot
program**, §6-16-128.**Foreign language teacher training
program**, §6-16-127.**FORESTERS.****Scholarships.**Arkansas foresters for the future
scholarship program, §§6-82-2101
to 6-82-2103.**FORESTS AND FORESTRY.****Scholarships.**Arkansas foresters for the future
scholarship program, §§6-82-2101
to 6-82-2103.**FORMING OPEN AND ROBUST
UNIVERSITY MINDS (FORUM)
ACT**, §§6-60-1001 to 6-60-1010.**FORMS.****Colleges and universities.**

Improvement districts.

Assessments.

Collection of assessments,
§§6-71-116, 6-71-117.**FORT SMITH, UNIVERSITY OF
ARKANSAS**, §§6-61-1105,
6-61-1106.**FORUM ACT.****Forming open and robust university
minds (FORUM) act**, §§6-60-1001
to 6-60-1010.**FOSTER CARE.****Colleges and universities.**Homeless and foster student liaison,
§6-60-115.**Education.**Funds for children with disabilities or
foster children, §§6-20-501 to
6-20-510.**Schools and education.**Enrollment in school district,
placement outside boundaries of
district, §6-18-202.Funds for children with disabilities or
foster children, §§6-20-501 to
6-20-510.School choice for children in foster
care, §6-18-233.Succeed scholarship program,
§§6-41-901 to 6-41-908.**FOUR-DAY SCHOOL WEEK**,
§6-10-117.**4-H CLUBS.****Equal treatment for 4-H member
students.**

Additional school absences, §6-18-220.

FRATERNITIES.**General provisions**, §§6-18-601 to
6-18-607.**FRAUD.****Education.**

School districts.

Treasurers.

Penalty for fraudulent use of
funds, §6-13-701.**Teachers.**Criminal history background checks
for fraudulent acts, §6-17-421.**FREEDOM OF INFORMATION.****School emergency or security
records or information.**Records exempt from disclosure,
§6-15-1304.**FREEDOM OF RELIGION.****Colleges and universities.**Forming open and robust university
minds (FORUM) act, §§6-60-1001
to 6-60-1010.**FREEDOM OF SPEECH.****Colleges and universities.**Forming open and robust university
minds (FORUM) act, §§6-60-1001
to 6-60-1010.

FREEDOM OF SPEECH —Cont'd
Colleges and universities —Cont'd
 Student journalists, §§6-60-1101 to
 6-60-1103.

FREEDOM OF THE PRESS.
Colleges and universities.
 Forming open and robust university
 minds (FORUM) act, §§6-60-1001
 to 6-60-1010.
 Student journalists, §§6-60-1101 to
 6-60-1103.

FREE TEXTBOOK ACT.
Textbooks generally, §§6-21-401 to
 6-21-413.

FUNDRAISERS.
Elementary school fundraising,
 §§6-18-1101 to 6-18-1104.

FUTURE FARMERS OF AMERICA.
Education.
 Compulsory attendance.
 Additional school absences,
 §6-18-220.

G

GAMBLING.
Corporations.
 Educational institutions.
 Prohibitions, §6-2-113.

**GARLAND COUNTY COMMUNITY
 COLLEGE.**
Name change, §§6-58-101 to 6-58-113.
President.
 Housing allowance, §6-61-525.

**GATEWAY
 VOCATIONAL-TECHNICAL
 SCHOOL, BATESVILLE.**
**Institution designated as technical
 college,** §6-53-301.

**GENDER IDENTITY OR
 EXPRESSION.**
Fairness in women's sports act.
 School sports teams to be based on
 biological sex, §6-1-107.

Schools and education.
 Parental notice and consent
 requirements, §6-16-1006.

GENERAL ASSEMBLY.
Arkansas evaluation center,
 §§6-5-701 to 6-5-703.

Education.
 State board of education.
 Confirmation of members by senate,
 §6-11-101.

GENERAL ASSEMBLY —Cont'd
Evaluation center, §§6-5-701 to
 6-5-703.

Lottery bills.
 Lottery-funded scholarships,
 §§6-85-501 to 6-85-503.

Pages.
 Student serving as during legislative
 session.
 Instructional assignment, not
 considered absent from school,
 §6-18-229.

Senate.
 State board of education.
 Confirmation of members, §6-11-101.

**GEOGRAPHICAL CRITICAL NEEDS
 MINORITY TEACHER
 SCHOLARSHIP PROGRAM,**
 §§6-82-1501 to 6-82-1506.

GIFTED CHILDREN.
Charter schools.
 General provisions, §§6-23-101 to
 6-23-1008.

GIFTS.
Corporations.
 Educational institutions.
 Bequests, gifts or devises for
 particular purposes, §6-2-112.

Education.
 Early childhood and adult education
 act.
 Acceptance of gifts, grants and
 donations, §6-16-303.
 Lab equipment.
 Donation of equipment seized under
 drug paraphernalia law,
 §6-21-102.

School districts.
 Public recreation and playgrounds.
 Acceptance of gifts and bequests,
 §6-21-503.

School lunch program.
 Acceptance, §6-20-706.

Textbooks.
 Illegal acts involving school officials,
 §6-21-410.

School districts.
 Donation of real property.
 Requisition, right of first refusal,
 §6-21-108.

University of Arkansas.
 Research, education and technical
 extension.
 Research services.
 Acceptance of grants and gifts,
 §6-64-905.

GIFTS —Cont'd**Vocational education and rehabilitation.**

Area vocational-technical and adult education schools.

Acceptance of gifts and donations, §6-51-207.

GOVERNOR.**Education.**

Governor's scholars program, §§6-82-301 to 6-82-314.

Scholarships.

Governor's scholars program, §§6-82-301 to 6-82-314.

GRADUATE MEDICAL EDUCATION RESIDENCY EXPANSION

BOARD, §§6-82-2001 to 6-82-2005.

Duties, §6-82-2001.

Established, §6-82-2001.

Members, §6-82-2001.

Planning grants.

Additional years of residency, §6-82-2005.

Allocation and awarding of funds, §6-82-2002.

Applications, §6-82-2002.

Funding not sufficient, §6-82-2004.

Priority of awards, §6-82-2004.

Program expansion or new programs, §6-82-2003.

Terms of office, §6-82-2001.

GRANTS.**Arkansas future grant program,**

§§6-82-1801 to 6-82-1805.

Charter schools.

Open-enrollment public charter schools.

Capital grant program, §§6-23-801 to 6-23-804.

Colleges and universities.

Selective service act.

Compliance with required, §6-80-102.

Education.

Advanced placement incentive program, §6-16-804.

Funding for program, §6-16-805.

Ethics.

Effect, §6-24-113.

Teacher opportunity program, §§6-81-601 to 6-81-606.

Graduate medical education residency expansion board,

§§6-82-2001 to 6-82-2005.

Hospitals.

Graduate medical education residency expansion board, §§6-82-2001 to 6-82-2005.

GRANTS —Cont'd**Parents as teachers program.**

Eligibility of school districts, §6-10-109.

Positive youth development grant program, §§6-5-901 to 6-5-906.**Teachers.**

Science, technology, engineering, and math fund.

Supplemental grants, §§6-17-2701 to 6-17-2704.

GUARDIAN AD LITEM.**Colleges and universities.**

Improvement districts.

Assessments.

Actions to enforce lien.

Appointment of guardian ad litem for persons under a disability, §6-71-138.

H**HAND-HELD LASER POINTERS.****Student possession.**

Seizure authorized, §6-18-512.

HARASSMENT.**Bullying.**

Anonymous reporting by students.

ARSafeSchools, school safety and crisis line, §§6-18-111, 6-18-112.

Policies to prevent bullying and harassment, §6-18-514.

Professional development for school personnel in bullying prevention, §6-17-711.

HAZING.**Aiding and abetting.**

Prohibited, §6-5-202.

Construction and interpretation,

§6-5-204.

Definitions, §6-5-201.

Prohibited, §6-5-202.

Reports.

Aiding, allowing or failing to report hazing.

Prohibited, §6-5-202.

HEAD INJURIES.**Concussions.**

Youth athletic activities.

Development of concussion protocols, §6-18-710.

HEALTH.**Education.**

Immunization required, §6-18-702.

Individualized healthcare plans, §6-18-701.

HEALTH —Cont'd**Education —Cont'd**

Physical examinations, §6-18-701.

School-based health clinics, §6-18-703.

HEALTH INSURANCE.**National park college.**Employee health insurance plan,
§6-58-113.**School employees.**Contribution by local school districts,
§6-17-1117.**HEARINGS.****Education.**Fair hearing law, §§6-17-1701 to
6-17-1705.

Quality education act.

Development of rules and standards,
§6-15-202.**Private resident and
correspondence schools,**
§6-51-618.**HEART ATTACK.****School procedures and staff training
as to athletic activities.**Sudden cardiac arrest, §§6-18-708,
6-18-713.**HEAVY EQUIPMENT OPERATORS.****Arkansas heavy equipment operator
training academy, §§6-61-531 to
6-61-533.****HENDERSON STATE UNIVERSITY.****Board of trustees.**Abolition and transfer to control of
Arkansas State University system,
§6-66-102.**HIGHER EDUCATION AWARENESS
PROGRAM, §§6-5-401 to 6-5-404.****HIGHER EDUCATION CONSUMER
GUIDE ACT, §§6-61-1701 to
6-61-1703.****HIGHER EDUCATION
TECHNOLOGY AND FACILITY
IMPROVEMENT ACT OF 2005.****Bond issues, §§6-62-1101 to 6-62-1122.****HIGH SCHOOLS.****Advanced placement training and
incentive program.**

Generally, §§6-5-1201 to 6-5-1204.

Participation, participation and service
fee, §6-5-1204.**American College Test assessment.**Universal ACT assessment program,
§§6-18-1601 to 6-18-1608.**Bleeding control training.**

Health courses, §6-10-133.

HIGH SCHOOLS —Cont'd**Breakfast program.**

Generally, §6-18-705.

**Building better futures programs for
students with intellectual
disabilities.**High school program, §§6-41-801 to
6-41-805.**Computer science course credit
requirement for graduation,**
§6-16-152.**Enrollment of high school students
as part-time students in
institutions of higher education,**
§6-60-202.**Health courses.**

Bleeding control training, §6-10-133.

**Military basic training, credit for
completion, §6-16-150.****Noncredit remedial courses,**
§6-20-223.**Postsecondary feedback of
information to high schools,**
§6-15-2401.**Quality education act.**Combination of high school programs
in adjoining districts, §6-15-207.**Reengagement system and
differentiated pathway to high
school diploma, §§6-16-1501 to
6-16-1506.****Salutatorian.**

Qualifications, §6-18-101.

School performance report act,
§§6-15-1401, 6-15-1402.**Seal, stamp, other symbol attached
to transcripts and diplomas.**Completion of core curriculum with
grade point average of 2.75,
§6-15-1101.**Transcripts, §6-80-107.****United States citizenship civics test,
required for high school
diploma, §6-16-149.****Valedictorian.**

Qualifications, §6-18-101.

Vocational-technical high schools,
§6-16-306.**HIGH-TECH SCHOLARSHIP
PROGRAM.****General provisions, §§6-82-401 to
6-82-410.****HISTORY.****Colleges and universities.**Course in American history and civil
government.

Required, §6-61-105.

HOLIDAYS AND OBSERVANCES.

Day of prayer for Arkansas students,
§6-10-135.

Education.

Patriotic observances, §6-16-107.

HOLOCAUST.**Schools and education.**

Holocaust education, requirements,
§6-16-154.

HOMELESS PERSONS.**Colleges and universities.**

Homeless and foster student liaison,
§6-60-115.

HOME SCHOOLING, §§6-15-501 to
6-15-510.

**Comprehensive testing, assessment
and accountability program.**

Enrollment or re-enrollment in local
school districts, §6-15-504.

Defined, §6-15-501.

**Enrollment in course at public
school or public charter school,**
§6-18-232.

**Enrollment or re-enrollment in local
school districts,** §6-15-504.

Expelled public schools students.

Ineligibility for enrollment, §6-15-503.

Funds.

Ineligibility for local, state or federal
funds, §6-15-507.

Interscholastic activities.

Participation, §6-15-509.

Private schools, §6-15-510.

**Notice of intent to provide home
schooling,** §6-15-503.

Prerequisites, §6-15-503.

**Rights and privileges on enrolling
or reenrolling in public school,**
§6-15-504.

Rules, §6-15-502.

Sex offenders.

Home schooling prohibited in home
with registered sex offender,
§6-15-508.

State board of education.

Rules, §6-15-502.

Suspended public school students.

Ineligibility for enrollment, §6-15-503.

**Temporary issue of property
belonging to public school,**
§6-15-503.

Tests.

Annual achievement tests, §6-15-504.

HOME SOLICITATION SALES.

Elementary school fundraising,
§§6-18-1101 to 6-18-1104.

Declarations of general assembly,
§6-18-1101.

Definitions, §6-18-1102.

Legislative findings, §6-18-1101.

Notice of participation, §6-18-1104.

Penalties, §6-18-1103.

Procedure, §6-18-1104.

Violations, §6-18-1103.

HOMOSEXUALITY.**Schools and education.**

Parental notice and consent
requirements, §6-16-1006.

HONOR ROLL SYSTEM.

**Establishment, school districts
authorized, identification of
students qualifying for,**
§6-18-101.

**HOSPITALS AND OTHER HEALTH
FACILITIES.****Resident programs.**

Graduate medical education residency
expansion board, §§6-82-2001 to
6-82-2005.

HOTLINES.**Child abuse hotline.**

Schools, posting of child abuse hotline
number, §6-18-712.

HOUSES OF PROSTITUTION.

Where prohibited, §6-2-113.

HUMAN TRAFFICKING.**Teachers, professional development.**

Training regarding human trafficking,
§6-17-710.

**HUNGER-FREE STUDENTS' BILL
OF RIGHTS ACT.**

**Discriminatory or shaming practices
prohibited,** §6-18-715.

HUNTING.**Hunter training and safety program.**

Public schools, hunting safety course,
§6-16-153.

Schools and education.

Hunting safety course as part of
curriculum, §6-16-153.

Training and safety program.

Public schools, hunting safety course,
§6-16-153.

I**IDENTIFICATION.****Colleges and universities.**

- Student identification badges or cards.
- Hotlines and other information to be included, §6-60-118.
- Prohibited use of social security number, §6-61-126.

Elections.

- Verification of voter registration when voting.

School district elections, §6-14-123.

Schools and education.

- Student identification badges.
- Hotlines and other information to be included, §§6-18-113, 6-60-118.

ILLITERACY.**Community colleges.**

- Reorganization act of 1991.
- Coordination with secondary vocational-technical education and literacy programs, §6-53-306.

Vocational education and rehabilitation.

- Postsecondary vocational and technical education.
- Reorganization act of 1991.
- Coordination with secondary vocational-technical education and literacy programs, §6-53-306.

IMMIGRATION.**Teachers.**

- Licenses for noncitizens, §6-17-430.

IMMUNITY.**Asthma inhalers used by or administered to school students,**
§6-18-707.**Brighter future fund plan act,**
§6-84-112.**Education.**

- Reporting student drug abuse.
- Immunity from civil liability, §6-17-107.
- School worker defense program, §§6-17-1113, 6-17-1118.

School buses.

- Directors exempt, §6-19-103.

Schools.

- Asthma inhalers or auto-injectable epinephrine, use by or administration to students, §6-18-707.

IMMUNITY —Cont'd**Schools —Cont'd**

- Corporal punishment administered by school employees.
- Immunity generally, §6-17-112.
- Military child school transitions act of 2021 for students changing school districts.
- Immunity from liability, effect of provisions, §6-28-206.
- Student publications and school-sponsored media.
- Immunity of school officials for student expressions, §6-18-1203.
- Superintendents or department employees.
- Enforcing policy compliant with state or federal law, §6-10-131.

Teachers.

- Reporting student drug abuse.
- Immunity from civil liability, §6-17-107.
- School worker defense program, §§6-17-1113, 6-17-1118.
- Teacher of the year as nonvoting member of state board, §6-17-2506.

IMMUNIZATION.**Colleges and universities.**

- Immunization of enrollees, §§6-60-501 to 6-60-504.

Education.

- Enforcement, §6-18-702.
- Exceptions, §6-18-702.
- Penalty for violation, §6-18-702.
- Required, §6-18-702.

Military child school transitions act of 2021 for students changing school districts.

- Immunization requirements, §6-28-110.

Private schools.

- Enforcement of act, §6-18-702.
- Exceptions, §6-18-702.
- Required, §6-18-702.

IMPROVEMENT DISTRICTS.**Colleges and universities, §§6-71-101 to 6-71-142.****IMPROVEMENTS.****Community colleges.**

- Bond issues for capital improvements generally, §§6-61-1001 to 6-61-1014.

Technical colleges.

- Bond issues for capital improvements, §§6-61-1001 to 6-61-1014.

INCOME TAX.**Credits.**

Philanthropic investment in Arkansas Kids Program, §§6-18-2301 to 6-18-2308.

Philanthropic investment in Arkansas Kids Program, tax credit, §§6-18-2301 to 6-18-2308.

Audit or review of scholarship-granting organization, §6-18-2307.

Award of educational scholarships, cap on average amount, §6-18-2305.

Creation of program, §6-18-2303.

Definitions, §6-18-2302.

Duties of department and division, §6-18-2307.

Duties of scholarship-granting organizations, §6-18-2306.

Eligible contributions to scholarship-granting organization, §6-18-2304.

Prorated contributions, §6-18-2308.

Receipt issued to taxpayer, §6-18-2307.

Reporting requirements, §6-18-2307.

Title of provisions, §6-18-2301.

INCOME WITHHOLDING.**University and college employees.**

Deductions for contributions to institutional fundraising, foundations and capital campaigns, §6-63-304.

INDOOR CLEAN AIR ACT.**Colleges and universities.**

Clean air on campus, §§6-60-801 to 6-60-807.

INITIATIVE AND REFERENDUM.**School districts.**

Creation by detaching territory from another district.

Election on proposition, §6-13-1504.

INJUNCTIONS.**Colleges and universities.**

Fairness in women's sports act.

School sports teams to be based on biological sex, §6-1-107.

Forming open and robust university minds (FORUM) act.

Remedies for violations, §6-60-1009.

Fairness in women's sports act.

School sports teams to be based on biological sex, §6-1-107.

Forming open and robust university minds (FORUM) act.

Remedies for violations, §6-60-1009.

INJUNCTIONS —Cont'd**Private resident and****correspondence schools.**

Enjoining violations of provisions, §6-51-604.

IN REM PROCEEDINGS.**Colleges and universities.**

Improvement districts.

Assessments.

Liens.

Actions to enforce, §6-71-122.

INSPECTIONS.**Education.**

Academic facilities program.

Random unannounced on-site inspections, §6-21-813.

Fire hazards inspection prior to closing for breaks, §6-21-106.

Schools.

Academic facilities program.

Random unannounced on-site inspections, §6-21-813.

INSURANCE.**Colleges and universities.**

Employees.

Salary deductions for group insurance premiums, §6-63-102.

Transfer and lease of state university property.

Title insurance, §6-62-611.

National park college.

Employee health insurance plan, §6-58-113.

School motor vehicles.

Insuring school vehicles, §§6-21-701 to 6-21-710.

Schools.

Public school employees, §§6-17-1109 to 6-17-1118.

Teachers.

Salaries.

Deductions for group insurance premium, §6-17-804.

Vocational education and rehabilitation.

Accident insurance for students, §6-51-209.

INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.**Building better futures programs for students with intellectual disabilities.**

High school program, §§6-41-801 to 6-41-805.

Institutions of higher education, §§6-41-701 to 6-41-705.

**INTELLECTUAL AND
DEVELOPMENTAL
DISABILITIES —Cont'd**

**Corporal punishment of students
with disabilities, prohibition,**
§§6-17-112, 6-17-1113, 6-18-503.

**Education funds for children with
disabilities or foster children,**
§§6-20-501 to 6-20-510.

Foster children.

Education funds for children with
disabilities and foster children,
§§6-20-501 to 6-20-510.

Succeed scholarship program,
§§6-41-901 to 6-41-908.

INTEREST.

Bond issues.

Education.

District school bonds, §6-20-1206.

Colleges and universities.

Improvement districts.

Assessments.

Actions to enforce lien.

Redemption, §6-71-134.

Education.

Bond issues.

District school bonds, §6-20-1206.

**Technical college or community
college capital improvement
bonds,** §6-61-1007.

University of Arkansas.

Revolving loan fund, §6-81-404.

Adding of interest to revolving
perpetual fund, §6-81-408.

**INTERNATIONAL STUDENT
EXCHANGE VISITOR
PLACEMENT ORGANIZATIONS,**
§§6-18-1701 to 6-18-1708.

Citation of act, §6-18-1701.

Compliance with act required,
§6-18-1704.

Definitions, §6-18-1703.

Informational documents, §6-18-1707.

Legislative declaration, §6-18-1702.

Registration, §6-18-1706.

Failure to register.

Effect, §6-18-1708.

Rules, §6-18-1705.

Title of act, §6-18-1701.

INTERNET.

Colleges and universities.

Expenditure data presentation,
§6-61-137.

INTERNET —Cont'd

Colleges and universities —Cont'd

Governing boards, accountability and
transparency at state-supported
institutions.

Information to be posted on
websites, §6-60-113.

Social media accounts of prospective or
current employees or students.

Restrictions on use, §6-60-104.

**Division of elementary and
secondary education.**

Information accessible on website,
§6-11-129.

School districts.

Access policies, §6-21-107.

Alternative instruction plan for missed
school days, virtual learning,
§6-10-127.

Data accessible on district web sites,
§6-11-129.

Internet filters required, §6-21-111.

Notice of meetings of board of
directors, §6-13-619.

State board of education.

Annual report.

Publication on division of
elementary and secondary
education website, §6-11-111.

**Student online personal information
protection act,** §6-18-109.

INTERSTATE COMPACTS.

Education.

Educational opportunity for military
children, §§6-4-301 to 6-4-307.

Southern regional education compact,
§§6-4-101 to 6-4-107.

**Southern regional education
compact,** §§6-4-101 to 6-4-107.

INVESTIGATIONS.

Education.

Allegations of employee criminal
misconduct, §6-17-407.

Student criminal acts, §6-17-113.

**Osteopathic rural medical practice
student loans and scholarships.**

Investigation of medical student after
application for loan, §6-81-1805.

**Private resident and
correspondence schools,**
§6-51-618.

School personnel.

Ethics complaints against licensed
personnel, §6-17-428.

INVESTIGATIONS —Cont'd**Teachers.**

Ethics complaints against licensed personnel, §6-17-428.

University of Arkansas for medical sciences.

Medical department.

Rural medical practice student loans and scholarships.

Applications to be investigated, §6-81-704.

INVESTMENTS.**Brighter future fund plan act.**

Direction of investment, §6-84-106.

Investment committee, §6-84-105.

Tax deductions, §6-84-111.

Colleges and universities.

Foreign investments, transparency, §§6-60-1201 to 6-60-1205.

Transfer and lease of state university property, §6-62-613.

Education.

Insurance of buildings, contents and other property.

Reserve funds, investment of, §6-20-1514.

Foreign investments, transparency, §§6-60-1201 to 6-60-1205.**University of Arkansas.**

Legal education fund.

Legal investments, §6-64-615.

Retirement or pension system funds, §6-64-615.

J**JASON FLATT ACT.**

Mental health awareness and teen suicide awareness and prevention professional development, §6-17-708.

JOB TRAINING.

Career and technical education, §§6-11-201 to 6-11-210.

Existing workforce training act, §§6-50-701 to 6-50-705.

Workforce development center authority act, §§6-50-801 to 6-50-810.

JUNIOR COLLEGES.**Community colleges.**

Division of community junior colleges.
Creation, §6-61-504.

JURY AND JURY TRIAL.**Colleges and universities.**

Improvement districts.

Real property.

Petition to acquire private property.

Trial by jury, §6-71-140.

JUVENILE CORRECTIONAL FACILITIES.**Education.**

Reimbursement for educational services, §6-20-104.

Tornado and earthquake safety drills, §6-10-121.

JUVENILE DELINQUENTS.

Regional educational career alternative school system for adjudicated youth.

Multiagency task force, §6-11-208.

Schools.

Notice of disposition of minor adjudicated delinquent or convicted of criminal offense, §6-10-134.

K**KICKBACKS.****Education.**

Ethics, §6-24-112.

KIDS-FOR-HEALTH PROGRAM, §6-16-1001.

L**LABOR UNIONS.**

School employee membership, §6-17-120.

LAPTOP COMPUTERS.

School discipline policy and exemptions concerning possession and use by students.

Personal electronic devices.

School district may establish, §6-18-515.

LAW ENFORCEMENT OFFICERS.**Arkansas police corps program.**

Administration, §§6-82-1204 to 6-82-1206.

Lead agency, §§6-82-1205, 6-82-1206.

Purpose of subchapter, §6-82-1201.

Colleges and universities.

Tuition reduction for state police officers, §6-60-213.

LAW ENFORCEMENT OFFICERS

—Cont'd

School resource officers, §6-10-128.

Memorandum of understanding with school district, §6-10-128.

Teachers, recommendation of suspension.

Notice to school resource officer, §6-17-1508.

Teachers, recommendation of termination.

Notice to school resource officer, §6-17-1507.

Schools, institutional law enforcement officers, §§6-13-1701 to 6-13-1707.**School violence.**

Duty to investigation, §6-17-113.

LAW SCHOOL.**University of Arkansas.**

General provisions, §§6-64-601 to 6-64-621.

LEARNING DISORDERS.**Schools and education.**

Dyslexia and related learning disorders, §§6-41-601 to 6-41-612.

LEASES.**Colleges and universities.**

Transfer and lease of property of state university, §§6-62-601 to 6-62-613.

Education.

School districts.

Oil, gas and mineral leases.

Execution by directors, §6-13-624.

Former leases validated, §6-13-624.

School buildings and facilities.

Leasing of academic facilities, §§6-21-117, 6-21-816.

Tax exemptions for leased facilities, §6-21-118.

University of Arkansas.

Research, education and technical extension.

Leases authorized, §6-64-908.

LEE'S BIRTHDAY.**Schools.**

Patriotic observance, §6-16-107.

LIBRARIES.**Public schools.**

Media and technology act, §§6-25-101 to 6-25-106.

University of Arkansas.

Research, education and technical extension.

Computer and technical library facilities authorized, §6-64-904.

LICENSES AND PERMITS.**Community colleges.**

Motor vehicles used by schools exempt from license fees, §6-51-101.

Construction industry craft training.

Surcharge to fund program, §6-55-106.

School buses.

Permit numbers, §6-19-115.

Vocational education and rehabilitation.

Motor vehicles used by schools exempt from license fees, §6-51-101.

LIENS.**Colleges and universities.**

Improvement districts.

Assessments, §§6-71-109, 6-71-113.

LIMITATION OF ACTIONS.**Colleges and universities.**

Fairness in women's sports act.

School sports teams to be based on biological sex, §6-1-107.

Forming open and robust university minds (FORUM) act.

Remedies for violations, §6-60-1010.

Fairness in women's sports act.

School sports teams to be based on biological sex, §6-1-107.

Forming open and robust university minds (FORUM) act.

Remedies for violations, §6-60-1010.

University of Arkansas.

Revolving loan fund.

Defenses invalid, §6-81-407.

LOANS.**Charter schools.**

Open enrollment charter school facilities loan fund, §§6-23-901 to 6-23-908.

Colleges and universities.

Private borrowing by institutions of higher education, §6-62-105.

Selective service act.

Compliance with required, §6-80-102.

Student financial aid.

Stacking of scholarships, §6-80-105.

Corporations.

Educational institutions.

Power to borrow for the construction of facilities, §6-2-110.

Education.

School districts.

Academic facilities funding.

High-growth school district loan program, §6-20-2511.

LOANS —Cont'd

Osteopathic rural medical practice student loans and scholarships,
§§6-81-1801 to 6-81-1817.

Rural medical practice student loans and scholarships.

Osteopathic rural medical practice student loans and scholarships,
§§6-81-1801 to 6-81-1817.

LOCAL GOVERNMENTS.**County-wide sales and use tax for capital improvements.**

Satellite campuses of community colleges.

Designation of undedicated tax,
§6-53-307.

Technical college support.

Designation of undedicated tax,
§6-53-307.

LOITERING.**Education.**

Loitering on or near school grounds,
§6-21-607.

LOTTERIES.

Academic challenge scholarship program, §§6-85-201 to 6-85-221.

Scholarships funded by lottery proceeds.

Academic challenge scholarship program, §§6-85-201 to 6-85-221.

Procedure for creating or amending,
§§6-85-501 to 6-85-503.

M**MEDICAID.****Education.**

Report of school districts underperforming in direct-service Medicaid billing, §6-10-119.

MEDICAL SCHOOLS.

Graduate medical education residency expansion board,
§§6-82-2001 to 6-82-2005.

Osteopathic rural medical practice student loans and scholarships,
§§6-81-1801 to 6-81-1817.

MENTAL HEALTH.**Colleges and universities.**

Mental health and suicide prevention services.

Information to be provided to students, §6-60-112.

Education.

Institutionalized children.

Programs for, §6-11-120.

MENTAL HEALTH —Cont'd**Teachers.**

Mental health awareness and teen suicide awareness and prevention professional development,
§6-17-708.

Youth mental health first aid training for school counselors, §6-18-2004.

MERGER OR CONSOLIDATION.**School districts.**

Annexation or consolidation of noncomplying districts generally.

Quality education act, §§6-15-201 to 6-15-216.

METHAMPHETAMINE.**Ephedrine combination products, pseudoephedrine and phenylpropanolamine.**

Log or receipts of transactions.

Information required of persons purchasing, receiving or otherwise acquiring, §6-64-1103.

Pharmacy required to keep,
§6-64-1103.

Sales.

Unlawful sale, §6-64-1103.

MICHAEL LAWDON BRANSCUM ACT.

Posthumous college degrees,
§6-61-138.

MID-SOUTH**VOCATIONAL-TECHNICAL SCHOOL, WEST MEMPHIS.**

Institution designated as technical college, §6-53-301.

MILITARY.**Basic training.**

High school credit for completion of military basic training, §6-16-150.

Colleges and universities.

Military training property and equipment.

Contracts for, §6-62-102.

Prisoners of war or persons missing or killed in action.

Tuition.

Free tuition and fees for dependents, §6-82-601.

Students or spouses of students called into military service, §6-61-112.

Tuition.

In-state tuition for veterans, military personnel and dependents, §6-60-205.

MILITARY —Cont'd**Colleges and universities —Cont'd****Tuition —Cont'd**

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents, §6-82-601.

High school credit for completion of military basic training, §6-16-150.**Recruiters.**

School districts.

Directors to permit equal access to school facilities and records, §6-13-626.

Schools and education.

Choice of public school.

Transfer of children of active duty members, §§6-18-227, 6-18-1905.

High school credit for completion of military basic training, §6-16-150.

Interstate compact for educational opportunity for military children, §§6-4-301 to 6-4-307.

Military child school transitions act of 2021 for students changing school districts, §§6-28-101 to 6-28-206.

Military deployment or relocation of parent or guardian.

Attendance in district other than residential district, §6-18-203.

Military leave for teachers and other school personnel, §6-17-306.

National guard.

Additional absences to complete basic combat training, §6-18-231.

High school credit for completion of military basic training, §6-16-150.

School district directors.

Contracts for military training equipment, §6-21-103.

Permitting recruiters equal access to school facilities and records, §6-13-626.

Vacancies created by directors entering armed forces, §6-13-613.

MINES AND MINERALS.**Agricultural colleges.**

Arkansas Polytechnic College.

Lease of mineral lands authorized, §6-65-304.

Proceeds of lease, §6-65-304.

MINES AND MINERALS —Cont'd**Education.**

School districts.

Oil, gas and mineral leases.

Execution by directors, §6-13-624.

Former leases validated, §6-13-624.

MINORITIES.**Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.****Education.**

Equity assistance center, §6-17-1902.

Minority teacher and administrator preparation and recruitment strategic plan.

Department of education, §6-17-1903.

School district elections.

Impact of minority population, §6-13-631.

Teacher and administrator recruitment and retention plan, §6-17-1901.

Scholarship or grant program.

Annual review by state board of education, §6-82-102.

Teachers.

Minority teacher and administrator preparation and recruitment strategic plan.

Department of education, §6-17-1903.

Recruitment plan.

Equity assistance center, §6-17-1902.

Scholarships.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

MISSING IN ACTION.**Colleges and universities.**

Tuition.

Free tuition and fees for dependents of persons missing or killed in action, §6-82-601.

MISSISSIPPI COUNTY**COMMUNITY COLLEGE.**

Name change, §§6-59-101 to 6-59-111.

President.

Housing allowance, §6-61-525.

University center, §6-61-528.

Creation, §6-61-528.

Purposes, §6-61-528.

MORTGAGES AND DEEDS OF TRUST.**Colleges and universities.**

Transfer and lease of state university property.

Right to mortgage or encumber property, §6-62-607.

MOTORCYCLES.**Driver education and training.**

Private resident and correspondence schools.

Noncommercial driver training instruction, §6-51-622.

MOTOR VEHICLE REGISTRATION.**Exemption from registration.**

School buses, §6-19-113.

School buses.

Exemption from registration, §6-19-113.

MOTOR VEHICLES.**Schools and education.**

Attendance.

Unexcused absences.

Suspension of driving privileges, §6-18-222.

New motor vehicles, school district purchase from motor vehicle dealer, §6-21-307.

School buses generally, §§6-19-101 to 6-19-119.

Vocational education and rehabilitation.

Exemption from taxes and license fees, §6-51-101.

Registration of vehicles used for school purposes, §6-51-101.

MUNICIPALITIES.**University of Arkansas for medical sciences.**

State medical center.

Quota of patients from municipalities, §6-64-505.

Failure to pay, §6-64-507.

Statement mailed to municipalities, §6-64-507.

MUSIC INSTRUCTION, §6-16-130.**N****NAMES.****Corporations.**

Educational institutions.

Change of name or charter provisions, §6-2-107.

Effective upon approval by board, §6-2-107.

NAMES —Cont'd**Deaf, deaf or Hard of Hearing.**

School for the Deaf, §6-43-301.

University of Arkansas for medical sciences.

Medical department, §6-64-401.

NARCOTIC DRUGS.**Education.**

Concealing drugs.

Confiscation without warrant, §6-21-608.

Definitions, §6-21-608.

Discipline, §6-21-608.

Evidence.

Admissibility of evidence obtained, §6-21-608.

School officials.

Defined, §6-21-608.

School-owned property.

Defined, §6-21-608.

School premises.

Defined, §6-21-608.

Supervisor.

Defined, §6-21-608.

Unlawful, §6-21-608.

Evidence.

Education.

Concealing drugs in school property.

Admissibility of evidence, §6-21-608.

NATIONAL ANTHEM.**Star-Spangled Banner act.**

Playing of national anthem at schools and school-sanctioned sporting events, §§6-10-136, 6-60-116.

NATIONAL GUARD.**Absence from school.**

Additional absences to complete basic combat training, §6-18-231.

Colleges and universities.

Participants in the tuition assistance plan.

Tuition waiver for soldiers and airmen, §6-60-211.

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents, §6-82-601.

Community colleges.

Participants in the tuition assistance plan.

Tuition waiver for soldiers and airmen, §6-60-211.

Schools and education.

Additional absences to complete basic combat training, §6-18-231.

NATIONAL GUARD —Cont'd**Schools and education —Cont'd**

High school credit for completion of
military basic training, §6-16-150.

Tuition assistance plan, §6-60-211.

Tuition benefits for members,
§6-60-214.

Youth challenge program.

Teachers, basic contract provisions,
§6-17-2402.

NATIONAL PARK COLLEGE,

§§6-58-101 to 6-58-113.

Board of trustees, §6-58-103.

Catastrophic leave program.

Effect of merger, §6-58-106.

Certificate and degree programs.

Effect of merger, §6-58-107.

Curriculum.

Effect of merger, §6-58-107.

Definitions, §6-58-101.

Election of trustees, §6-58-103.

Employee health insurance plan,
§6-58-113.

Faculty and employees.

Effect of merger, §§6-58-104 to
6-58-106.

Garland county community college.

Name change and merger, §6-58-102.

Health insurance plans.

Effect of merger, §§6-58-104 to
6-58-106.

House construction programs,

§6-58-108.

Insurance.

Employee health insurance plan,
§6-58-113.

Legal authority, §6-58-109.

Purchasing, §6-58-108.

Quapaw technical institute.

Conversion of positions and maximum
salaries, §6-58-112.

Name change and merger, §6-58-102.

Salary equity funding, §6-58-111.

Sick leave.

Effect of merger, §6-58-105.

Transfer of assets, §6-58-109.

Workforce 2000 development fund,
§6-58-110.

NEPOTISM.**Agricultural colleges.**

Districts.

Schools.

Penalty, §6-65-107.

Education.

Administrators, §6-24-106.

County boards of education, §6-24-105.

NEPOTISM —Cont'd**Education —Cont'd**

State board of education.

Commissioner of elementary and
secondary education, §6-11-102.

University of Arkansas.

Board of trustees.

Employment of relatives.

Exceptions, §6-64-214.

Liability for drawing warrants in
favor of relatives, §6-64-214.

**NONPROFIT CORPORATIONS
(1987).**

Arkansas evaluation center,
§§6-5-701 to 6-5-703.

Evaluation center, §§6-5-701 to
6-5-703.

**NONPROFIT CORPORATIONS
(1993).**

Arkansas evaluation center,
§§6-5-701 to 6-5-703.

Evaluation center, §§6-5-701 to
6-5-703.

NONRESIDENTS.**Colleges and universities.**

Admission.

Regulation of admission and
enrollment, §6-60-201.

Improvement districts.

Assessments.

Actions to enforce lien.

Publication of notice where
owners nonresidents,
§6-71-137.

**NORTH ARKANSAS COMMUNITY
COLLEGE.****President.**

Housing allowance, §6-61-525.

NOTEBOOK COMPUTERS.

**School discipline policy and
exemptions concerning
possession and use by students.**

Personal electronic devices.

School district may establish,
§6-18-515.

NOTICE.**Colleges and universities.**

Buildings.

Bond issues.

Commission on coordination of
higher education finance,
§6-62-306.

Clean air on campus.

Prohibition on smoking
communicated by means of "no
smoking" signs, §6-60-805.

NOTICE —Cont'd**Colleges and universities —Cont'd**

Improvement districts.

Assessments, §§6-71-107, 6-71-113.

Actions to enforce lien.

Publication of notice where owners are nonresidents, infants or persons under a disability, §6-71-137.

Publication of notice for collection, §6-71-117.

Sale of property to enforce lien, §6-71-128.

Public notice of passage of chapter, §6-71-105.

Real property.

Petition to acquire private property, §6-71-140.

Compulsory school attendance.

Notice of unexcused absences, §6-18-222.

Corporations.

Educational institutions.

Meetings, §§6-2-104, 6-2-107.

Education.

Elections.

School elections, §6-14-109.

Candidates.

Filing notice of write-in candidacy, §6-14-111.

Home-schooled students.

Notice of intent to provide home schooling, §6-15-503.

Insurance.

Public school employees.

Life and health insurance.

Bid proposals, §6-17-1109.

Quality education act.

Failure to meet minimum standards.

Public notice of probationary status schools, §6-15-208.

Failure to meet standards, §6-15-203.

Revolving loan fund.

Bond issues.

Sale of bonds, §6-20-1008.

School districts.

Fiscal assessment and accountability, §6-20-1905.

School term.

Notice of beginning, §6-10-107.

Suspension of student.

Notice to parent or legal guardian, §6-18-507.

Elections.

Technical college districts.

Formation and ad valorem tax levy, §6-53-602.

NOTICE —Cont'd**Private resident and****correspondence schools.**

Investigations and hearings, §6-51-618.

Notice of possible violations, §6-51-604.

Injunctions, §6-51-604.

Response by recipient, §6-51-604.

School districts.

Boundary change by state board of education, §6-13-1414.

Schools.

Disposition of minor adjudicated delinquent or convicted of criminal offense, §6-10-134.

Dyslexia and related learning disorders.

Notice to parent or guardian of need for therapy services, §6-41-604.

Restraint of students.

Notice of incidents, §6-18-2407.

Teachers.

Dismissal of teachers.

Notice of termination recommendation, §6-17-1507.

Renewal of contracts, §6-17-1506.

Suspension, §6-17-1508.

Revocation, suspension, or probation of license, §6-17-410.

Technical college districts.

Election on formation and tax levy, §6-53-602.

NURSES.**Advanced nursing practice and****nurse educator loans and****scholarships, §§6-81-1201 to 6-81-1209.**

Conditions.

Rural advanced nursing practice or nurse educator loan contracts, §6-81-1204.

Construction of provisions, §6-81-1209.

Definitions, §6-81-1201.

Effect of provisions, §6-81-1209.

Rural advanced nursing practice or nurse educator loans.

Conditions and obligations, §6-81-1204.

Eligibility, §6-81-1203.

Advanced practice nurses.

University of Arkansas for medical sciences.

Advanced practice nurses at area health education centers, §6-64-422.

NURSES —Cont'd**Education.**

Advanced nursing practice and nurse educator loans and scholarships, §§6-81-1201 to 6-81-1209.

Programs.

Licensed practical nurses.

Pathway pilot program, §6-16-1005.

School nurse, §6-18-706.

Healthcare student summer enrichment program for underrepresented student populations, §§6-5-801 to 6-5-804.

Nursing student loan program, §§6-81-1401 to 6-81-1412.

Acceleration of loan upon loss of good standing, §6-81-1410.

Administration, §6-81-1402.

Amount of loans, §6-81-1405.

Cancellation of principal and interest. Practice or teaching of nursing, §6-81-1409.

Commitments for eligibility, §6-81-1404.

Composition of fund, §6-81-1401.

Eligibility for loan, §6-81-1404.

Interest, §6-81-1411.

Loss of good standing.

Acceleration of loan upon loss of good standing, §6-81-1410.

Maximum amount of loans, §6-81-1405.

Powers and duties of board, §6-81-1403.

Renewal, §6-81-1407.

Repayment of loan, §6-81-1411.

Rulemaking authority, §6-81-1412.

Term of loan, §6-81-1406.

Written loan contract, §6-81-1408.

Practical nurses.

School nursing programs.

Licensed practical nurse pathway pilot program, §6-16-1005.

Registered nurses.

Scholarships.

Academic challenge scholarship program.

Nursing school eligibility, §6-85-213.

Scholarships.

Academic challenge scholarship program.

Nursing school eligibility, §6-85-213.

School nurse, §6-18-706.

Facilities funding act of 2005.

Nursing center, §6-20-2517.

NURSES —Cont'd**School nurse —Cont'd**

Reporting of school nurse statistics by school districts, §6-18-709.

School nursing programs.

Licensed practical nurse pathway pilot program, §6-16-1005.

Student loans.

Advanced nursing, §§6-81-1201 to 6-81-1209.

Nursing student loan program, §§6-81-1401 to 6-81-1412.

University of Arkansas.

College of nursing.

Improvements.

Use of funds, §6-64-417.

University of Arkansas for medical sciences.

Advanced practice nurses at area health education centers, §6-64-422.

Vocational education and rehabilitation.

Associate of applied science degree.

Establishment of program, §6-51-701.

Granting, §6-51-703.

Nature of program, §6-51-702.

O**OATHS OR AFFIRMATIONS.****Agricultural colleges.**

Arkansas state university system.

Board of trustees.

Oath of office of members, §6-65-201.

Arkansas Tech university.

Board of trustees.

Oath of office, §6-65-301.

Southern Arkansas university.

Board of trustees.

Oath of office, §6-65-401.

Colleges and universities.

Improvement districts.

Assessors, §6-71-107.

Commissioners, §6-71-104.

Education.

School districts.

Directors, §6-13-617.

State board of education.

Members, §6-11-101.

OIL AND GAS.**Education.**

School districts.

Oil, gas and mineral leases.

Execution by directors, §6-13-624.

OIL AND GAS —Cont'd**Education —Cont'd****School districts —Cont'd**

- Oil, gas and mineral leases —Cont'd
- Former leases validated,
§6-13-624.

OIL BELT**VOCATIONAL-TECHNICAL
SCHOOL, EL DORADO.**

- Institution designated as technical
college, §6-53-301.

OPEN-ENROLLMENT PUBLIC

- CHARTER SCHOOLS, §§6-23-301
to 6-23-507.

OPTOMETRISTS.

- Tuition assistance for residents
attending out of state optometry
schools, §6-81-1101.

OPTOMETRY SCHOOLS.

- Tuition assistance for residents
attending out of state schools,
§6-81-1101.

OSTEOPATHS.**Rural medical practice student
loans and scholarships,**

- §§6-81-1801 to 6-81-1817.

- Administration of program,
§6-81-1817.

- Alternates on waiting list for
acceptance to medical school,
§6-81-1815.

- Amount of loans, §6-81-1808.

- Application for loan, §6-81-1804.

Board.

- Compensation of members,
§6-81-1803.

- Created, §6-81-1803.

- Duties, §6-81-1803.

- Members, §6-81-1803.

- Reporting requirements, §6-81-1811.

- Breach of contract, §6-81-1812.

- Community match contracts with
medical school graduates.

- Eligibility, §6-81-1813.

- Terms and conditions, §6-81-1814.

- Contracts with loan applicants,
§6-81-1809.

- Tracking of compliance, §6-81-1816.

- Creation of fund, §6-81-1801.

- Definitions, §6-81-1802.

- Dispute resolution, §6-81-1812.

- Eligibility for loan, §6-81-1807.

- Funding of loans, §6-81-1810.

- Investigation of medical student after
application for loan, §6-81-1805.

OSTEOPATHS —Cont'd**Rural medical practice student****loans and scholarships —Cont'd**

- Maximum amount of loans,
§6-81-1808.

- Purpose of loan, §6-81-1806.

- Renewal loans, §6-81-1807.

- Reporting requirements, §6-81-1811.

OSTEOPATHY SCHOOLS.**Tuition assistance for residents**

- attending out of state schools,
§6-81-1101.

**OZARKA VOCATIONAL-TECHNICAL
SCHOOL, MELBOURNE.**

- Institution designated as technical
college, §6-53-301.

P**PAGES FOR GENERAL ASSEMBLY.****Student serving as during legislative
session.**

- Instructional assignment, not
considered absent from school,
§6-18-229.

PARENT AND CHILD.**Criminal law and procedure.****Education.**

- Parental notification of law
enforcement actions, §6-18-513.

School buses.

- Parental monitors on school buses,
§6-19-127.

Schools and education.**Criminal law and procedure.**

- Parental notification of law
enforcement actions, §6-18-513.

- Inspection and challenge of
instructional materials, §6-16-155.

- Multiple birth siblings.

Classroom assignments.

- Parental decisionmaking as to
assignment, §6-18-106.

- Parent and family engagement plans,
§§6-15-1701 to 6-15-1705.

Sex education.

- Parental notice and consent
requirements, §6-16-1006.

PARENTS AS TEACHERS**PROGRAM, §6-10-109.****PARKING.****Disabilities, individuals with.**

- Driver education instruction,
§6-16-508.

PARKS AND RECREATION.**Education.**

Public recreation and playgrounds,
§§6-21-501 to 6-21-505.

Public recreation and playgrounds,
§§6-21-501 to 6-21-505.**School districts.**

Public recreation and playgrounds,
§§6-21-501 to 6-21-505.

**PATRIOTIC ACCESS TO STUDENTS
IN SCHOOLS ACT, §6-10-132.****PER DIEM.**

State board of education members,
§6-11-101.

**PERSONAL IDENTIFYING
INFORMATION.****Personal information protection act.**

Student online personal information
protection act, §6-18-109.

**Student online personal information
protection act, §6-18-109.****PERSONAL PROPERTY.****Corporations.**

Educational institutions.
Use of funds or property, §6-2-103.

Education.

School districts.
Purchase of surplus government
property, §6-13-110.

PERSONNEL.**Colleges and universities.**

Board of higher education.
Policies and administration,
§6-61-214.

PETITIONS.**Colleges and universities.**

Improvement districts.
Approval of chapter.
Petition method, §6-71-105.

Education.

Quality education act.
Annexation or consolidation.
Petition for annexation, §6-15-207.
School elections.
Petitions for candidacy, §6-14-111.

Schools and education.

Annexation and consolidation.
Minimum school district size,
waiver, §6-13-1613.

PETIT JEAN**VOCATIONAL-TECHNICAL
SCHOOL, MORRILTON.**

Institution designated as technical
college, §6-53-301.

PHARMACISTS AND PHARMACIES.**University of Arkansas.**

School of pharmacy.
Authorized, §6-64-410.
Improvements.
Use of funds, §6-64-417.

**PHILLIPS COUNTY COMMUNITY
COLLEGE.****President.**

Housing allowance, §6-61-525.

PHYSICAL EDUCATION.**Courses of study, §6-16-132.**

Credit for physical activity courses,
§6-16-137.

PHYSICIANS AND SURGEONS.**Academic physician program.**

Healthcare student summer
enrichment program for
underrepresented student
populations, §6-5-803.

**Graduate medical education
residency expansion board,**
§§6-82-2001 to 6-82-2005.**Healthcare student summer
enrichment program for
underrepresented student
populations, §§6-5-801 to 6-5-804.**

Academic physician program, §6-5-803.

**Rural medical practice student
loans and scholarships.**

Osteopathic rural medical practice
student loans and scholarships,
§§6-81-1801 to 6-81-1817.

**University of Arkansas for medical
sciences.**

Medical department, §§6-64-401 to
6-64-416.

**PINES VOCATIONAL-TECHNICAL
SCHOOL, PINE BLUFF.**

Institution designated as technical
college, §6-53-301.

PINE TREE RESEARCH STATION.

Preservation and protection,
§6-64-718.

PLANNING.**Colleges and universities.**

Board of higher education, §§6-61-205
to 6-61-207.

Encouragement of participation by
private institutions, §6-61-305.

**Construction industry craft
training, §6-55-104.****Education.**

Schoolhouses.
Construction aid.
Approval of plans, §6-20-1407.

PLAYGROUNDS.**School districts.**

Public recreation and playgrounds,
§§6-21-501 to 6-21-505.

PLEDGE OF ALLEGIANCE.**Public school students.**

Minute of silence following recitation,
§6-16-108.

Recitation requirement, §6-16-108.

PODIATRISTS.

**Tuition assistance for residents
attending out of state podiatry
schools, §6-81-1101.**

PODIATRY SCHOOLS.

**Tuition assistance for residents
attending out of state schools,
§6-81-1101.**

**POPULAR NAMES AND SHORT
TITLES.**

**Academic challenge scholarship
program, §§6-85-201 to 6-85-221.**

Alex's law, §6-18-707.

**Arkansas concurrent challenge
scholarship program, §§6-85-401
to 6-85-406.**

**Arkansas foresters for the future
scholarship program act of 2021,
§6-82-2101.**

**Arkansas opportunity public school
choice act, §6-18-227.**

**Arkansas tutoring corps act,
§6-15-3101.**

**College campuses, §§6-60-801 to
6-60-807.**

Community schools act, §6-15-3001.

**Computer science education
advancement act of 2021,
§6-16-152.**

**Digital learning act, §§6-16-1401 to
6-16-1406.**

**Educational support and
accountability act, §6-15-2901.**

**Existing workforce training act,
§§6-50-701 to 6-50-705.**

**Fairness in women's sports act
(school sports teams to be based
on biological sex), §6-1-107.**

**Financial education commission,
§6-1-701.**

**Forming open and robust university
minds (FORUM) act, §6-60-1001.**

**Free textbook act, §§6-21-401 to
6-21-413.**

**Higher education awareness
program, §§6-5-401 to 6-5-404.**

**Higher education consumer guide
act, §6-61-1701.**

**POPULAR NAMES AND SHORT
TITLES —Cont'd**

**Highly qualified professional and
teacher act, §6-63-105.**

**Hunger-free students' bill of rights
act, §6-18-715.**

Kids-for-health program, §6-16-1001.

**Military child school transitions act
of 2021, §6-28-101.**

**Opportunity public school choice
act, §6-18-227.**

**Parents as teachers program,
§6-10-109.**

**Patriotic access to students in
schools act, §6-10-132.**

**Philanthropic investment in
Arkansas Kids Program act,
§6-18-2301.**

**Public education reorganization act,
§§6-13-1601 to 6-13-1613.**

**Public school choice act of 2013,
§§6-18-1901 to 6-18-1908.**

**Public school funding act,
§§6-20-2301 to 6-20-2309.**

**Quality charter schools act of 2013,
§§6-23-101 to 6-23-1008.**

**Quality education act, §§6-15-201 to
6-15-216.**

**Right to read act (scientific reading
instruction), §6-17-429.**

**Safe schools initiative act,
§6-15-1303.**

**School counseling improvement act
of 2019, §6-18-2001.**

**School performance report act,
§§6-15-1401, 6-15-1402.**

**Star-Spangled Banner Act,
§§6-10-136, 6-60-116.**

**Sudden cardiac arrest prevention
act, §§6-18-708, 6-18-713.**

**Transparency in foreign investments
act, §6-60-1201.**

Tutoring corps act, §6-15-3101.

**Workforce development center
authority act, §6-50-801.**

PORTABLE GAME CONSOLES.

**School discipline policy and
exemptions concerning
possession and use by students.**

Personal electronic devices.

School district may establish,
§6-18-515.

PRAYER IN SCHOOLS.

**School property and supplies,
§6-21-203.**

PREGNANCY.**Colleges and universities.**

Unplanned pregnancies action plan,
§6-60-106.

PRISONERS OF WAR.**Colleges and universities.****Tuition.**

Free tuition and fees for dependents,
§6-82-601.

PRIVATE CAREER SCHOOLS.**Student protection trust fund,**

§6-51-607.

**PRIVATE RESIDENT AND
CORRESPONDENCE SCHOOLS.****Actions to execute against bond.**

Standing to sue, §6-51-620.

**Administration and enforcement of
act, §6-51-605.****Admissions representatives.**

Background checks, §6-51-609.

Licenses, §6-51-609.

Denial or suspension, §6-51-615.

Fees, §6-51-610.

Renewal, §6-51-611.

Standards, §6-51-605.

Appeals.

Denial of school license, §6-51-614.

Denial or suspension of admissions
representative's license, §6-51-615.

Penalties, §6-51-618.

Applicability of provisions.

Excepted courses, §6-51-624.

Background checks.

Admissions representatives, §6-51-609.

Partners or shareholders in schools,
§6-51-605.

Bonds, surety, §6-51-620.**Construction of subchapter,**

§6-51-621.

Contempt.

Failure to obey a subpoena or
subpoena duces tecum, §6-51-619.

Contracts.

Contracts and promissory notes of
unlicensed schools, §6-51-613.

Criminal law and procedure.

Operating school without a license,
§6-51-612.

Definitions, §6-51-602.**Diplomas, §6-51-605.****Dispute resolution.**

State board of private career
education, §6-51-617.

Documents.

Subpoenas duces tecum, §6-51-619.

Driver training.

Defensive driving instruction,
§6-51-623.

**PRIVATE RESIDENT AND
CORRESPONDENCE SCHOOLS**

—Cont'd

Driver training —Cont'd

Noncommercial driver training
instruction, §6-51-622.

Exemptions from licensure,

§6-51-603.

Extension course sites.

Additional school license, §6-51-608.

Fees, §6-51-608.

Fees.

Extension course sites, §6-51-608.

Licenses, §6-51-610.

Satellite schools, §6-51-608.

Witness fees and mileage, §6-51-619.

Fines, §6-51-618.**Funds.**

Private career school student
protection trust fund, §6-51-607.

Grievance procedure.

Students, §6-51-616.

Gross tuition.

Defined, §6-51-620.

Hearings, §6-51-618.

Subpoenas and subpoenas duces
tecum, §6-51-619.

Injunctions.

Enjoining violations of provisions,
§6-51-604.

Intent of legislature, §6-51-601.**Investigations, §6-51-618.****Legislative declaration, §6-51-601.****Licenses.**

Admissions representatives, §6-51-609.

Denial or suspension of license,
§6-51-615.

Appeals.

Denial or suspension of admissions
representative's license,
§6-51-615.

Applications, §6-51-606.

Denial of licenses.

Admissions representatives,
§6-51-615.

School licenses, §6-51-614.

Duration, §6-51-611.

Exemptions, §6-51-603.

Extension course sites.

Additional school license, §6-51-608.

Fees, §6-51-610.

Issuance, §6-51-606.

Operating school without a license,
§6-51-612.

Renewal, §6-51-611.

Required, §6-51-606.

Satellite schools.

Additional school license, §6-51-608.

**PRIVATE RESIDENT AND
CORRESPONDENCE SCHOOLS**

—Cont'd

Licenses —Cont'd

- State board of private career education.
- Authority of state board, §6-51-605.
- Surety bond required, §6-51-620.
- Suspension of license.
 - Admissions representatives, §6-51-615.
 - Failure of bond, §6-51-620.
 - School license, §6-51-614.

Notice.

- Investigation and hearing, §6-51-618.
- Notice of possible violations, §6-51-604.
- Injunctions, §6-51-604.
- Response by recipient, §6-51-604.

Operating school without license, §6-51-612.

- Penalty, §6-51-612.

Penalties, §6-51-615.

- Appeals, §6-51-618.
- Fines, §6-51-618.
- Investigation and hearing, §6-51-618.
- Operating school without a license, §6-51-612.

Promissory notes of unlicensed schools, §6-51-613.

Sales representatives.

- Standards, §6-51-605.

Satellite schools.

- Additional school license, §6-51-608.
- Fees, §6-51-608.

Solicitors.

- Standards, §6-51-605.

Standards for schools and their representatives, §6-51-605.

Standing.

- Actions to execute against bond, §6-51-620.

State board of higher education.

- Construction of subchapter, §6-51-621.

State board of private career education.

- Appointment, §6-51-605.
- Composition, §6-51-605.
- Director, §6-51-605.
- Meetings, §6-51-605.
- Powers and duties, §6-51-605.

Students.

- Grievance procedure, §6-51-616.

Subjects to which provisions not applicable, §6-51-624.

Subpoenas and subpoenas duces tecum, §6-51-619.

Surety bond, §6-51-620.

**PRIVATE RESIDENT AND
CORRESPONDENCE SCHOOLS**

—Cont'd

Tuition.

- Recovery of tuition, §6-51-613.

Witnesses.

- Subpoenas, §6-51-619.

PRIVATE SCHOOLS.

Diseases.

- Immunization required, §6-18-702.

Enrollment in course at public school or public charter school, §6-18-232.

Flags.

- United States flag.
- Display by private schools, §6-16-105.

Home schooled students.

- Interscholastic activities participation at private schools, §6-15-510.

Immunization.

- Enforcement of act, §6-18-702.
- Exceptions, §6-18-702.
- Required, §6-18-702.

Penalties.

- Immunization.
- Penalty for violation, §6-18-702.

Resident and correspondence schools, §§6-51-601 to 6-51-624.

Succeed scholarship program, §§6-41-901 to 6-41-908.

PROPERTY.

University of Central Arkansas.

- Board of trustees.
- Powers as to property, §6-67-102.

Vocational education and rehabilitation.

- Sale of real or personal property.
- Disposition of income from, §6-51-210.

PROPERTY TAXES.

Education.

- Public school funding act of 2003.
- Property tax report, §6-20-2307.

Exemptions.

- Public school buildings and facilities, §6-21-118.

Schools.

- Tax exemptions for public school buildings and facilities, §6-21-118.

PROSECUTING ATTORNEYS.

Agricultural colleges.

- Southern Arkansas University.
- Eminent domain.
- Duty of attorney, §6-65-403.

PROSECUTING ATTORNEYS

—Cont'd

Blind and visually impaired.

Education.

Compulsory school attendance.

Enforcement of act, §6-43-105.

Colleges and universities.

Eminent domain.

Legal representation of board,

§6-62-201.

Deaf, deaf or Hard of Hearing.

Education.

Compulsory school attendance.

Enforcement of act, §6-43-105.

Education.

Compensation for prosecuting violations, §6-10-104.

Violations.

Prosecuting attorney to prosecute violations, §6-10-104.

PROSTITUTION.**Houses of prostitution.**

Where prohibited, §6-2-113.

PROTESTS.**Forming open and robust university minds (FORUM) act, §§6-60-1001 to 6-60-1010.****PUBLICATION.****Agricultural colleges.**

Districts.

Schools.

Cooperation on research and publications, §6-65-109.

Colleges and universities.

Improvement districts.

Assessments.

Actions to enforce lien.

Notice published where owners are nonresidents or persons under a disability, §6-71-137.

Notice for collection, §6-71-117.

Education.

Beginning of school term, §6-10-107.

School districts.

Budgets, §6-13-622.

Student publications, §§6-18-1201 to 6-18-1205.

University of Arkansas.

Division of agriculture.

Bureau of research and statistics.

Use of material and information in publications, §6-64-715.

University of Arkansas for medical sciences.

Medical department.

Admissions policies and procedures to be published, §6-64-406.

PUBLIC EDUCATION.**Charter schools, §§6-23-101 to 6-23-1008.****PUBLIC EDUCATION ACT OF 1997, §§6-15-1001 to 6-15-1011.****PUBLIC EDUCATION****REORGANIZATION ACT,**

§§6-13-1601 to 6-13-1613.

Administrative reorganization, §6-13-1603.**Annexation and consolidation.**

Academic support centers, §6-13-1612.

Historical artifacts of school district.

Duty to obtain, retain, preserve and display, §6-13-1609.

Involuntary consolidations.

Debt relief, §6-13-1610.

Minimum school district size, waiver, §6-13-1613.

Student records, §6-13-1607.

Audits, §6-13-1608.**Consolidation list, §6-13-1602.****Definitions, §6-13-1601.****PUBLIC EMPLOYEES'****RETIREMENT SYSTEM.****Rehabilitation services.**

Eligibility of employees, §6-52-104.

PUBLIC FUNDS.**Arkansas construction industry craft training trust fund, §6-55-107.****Arkansas school for mathematics, sciences and arts fund, §6-42-307.****Arkansas State University-Beebe fund, §6-65-216.****Budget stabilization trust fund.**

Revenue stabilization law.

Loans from fund.

School districts.

Loans to local school districts, §6-20-803.

Charter schools.

Open enrollment charter school facilities loan fund, §§6-23-901 to 6-23-908.

Colleges and universities.

Higher education consolidation matching fund, §6-60-102.

Construction industry craft training trust fund, §6-55-106.**Corporate income tax withholding fund.**

Educational institutions.

Use of funds or property, §6-2-103.

Corporations.

Educational institutions.

Use of funds or property, §6-2-103.

PUBLIC FUNDS —Cont'd**Disabilities, children with.**

Education funds for children with disabilities or foster children, §§6-20-501 to 6-20-510.

Educational television.

Revolving cash fund.
Audit, §6-3-109.
Authorized, §6-3-109.
Records, §6-3-109.

Foster children.

Education funds, §§6-20-501 to 6-20-510.

Higher education consolidation matching fund, §6-60-102.**Osteopathic rural medical practice student loans and scholarship fund, §6-81-1801.****Permanent insurance reserve fund.**

Insurance of school buildings, contents and other property, §6-20-1511.

Private resident and correspondence schools.

Private career school student protection trust fund, §6-51-607.

Revenue stabilization law.

Budget stabilization trust fund.
Loans from fund.
School districts.
Loans to local school districts, §6-20-803.

School academic facilities financing act of 2007 bond fund, §6-20-2609.**Science, technology, engineering and math fund.**

Supplemental grants, §§6-17-2701 to 6-17-2704.

Trust funds.

Private career school student protection trust fund, §6-51-607.

University of Central Arkansas.

Board of trustees.
Duties of treasurer of state, §6-67-111.

PUBLIC PURCHASING AND CONTRACTING.**Community colleges.**

Purchases from board members and employees, §6-61-613.

Education.

School districts.
Purchases of commodities, §§6-21-301 to 6-21-307.
Small communities.
Purchases without bids, §6-13-628.

PUBLIC SCHOOL ACADEMIC FACILITIES FUNDING ACT.

Facilities funding act of 2007, §§6-20-2601 to 6-20-2623.

PUBLIC SCHOOL ACADEMIC FACILITIES PROGRAM ACT, §§6-21-801 to 6-21-817.**PUBLIC SCHOOL CHOICE ACT OF 2013, §§6-18-1901 to 6-18-1908.****PUBLIC SCHOOL FUNDING ACT OF 2003, §§6-20-2301 to 6-20-2309.****PUBLIC WORKS.****Construction contracts.**

Education.
Rulemaking authority, §6-21-109.

PULASKI**VOCATIONAL-TECHNICAL SCHOOL, NORTH LITTLE ROCK.**

Institution designated as technical college, §6-53-301.

Q**QUADRUPLETS.****Schools and education.**

Classroom assignments of multiple birth siblings, §6-18-106.

QUALITY EDUCATION ACT, §§6-15-201 to 6-15-216.**QUAPAW TECHNICAL INSTITUTE.**

Name change and merger, §§6-58-101 to 6-58-113.

R**RACIAL MINORITIES.****Colleges and universities.**

Affirmative action programs, §6-63-103.

Charters, bylaws or rules of institutions.

Removal of references to race, §6-61-113.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

Higher education minority retention programs, §6-61-122.

Minority defined, §6-61-121.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

RACIAL MINORITIES —Cont'd**Education.**

Commission on closing the achievement gap in Arkansas, §§6-15-1601, 6-15-1603.

Higher education minority retention programs, §6-61-122.

Minority defined, §6-61-121.

Teachers.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

RADIO.**University of Arkansas.**

Basketball games, §6-64-104.

Football games, §6-64-104.

RAILROADS.**Agricultural colleges.**

Districts.

Schools.

Faculty.

Free transportation to faculty members, §6-65-108.

REAL PROPERTY.**Colleges and universities.**

Improvement districts.

Damages.

Petition to acquire private property, §6-71-101.

Defined, §6-71-101.

Petition to acquire private property.

Contents, §6-71-140.

Damages.

Deposit to cover damages prior to determination, §6-71-140.

Determination, §6-71-140.

Payment, §6-71-140.

Deposit to cover damages prior to determination, §6-71-140.

Entry on land after deposit, §6-71-140.

Jury trial, §6-71-140.

Power to hold and acquire, §6-71-139.

Petition to acquire private property.

Improvement districts, §6-71-140.

Transfer and lease of property of state university, §§6-62-601 to 6-62-613.

Corporations.

Educational institutions.

Use of funds or property, §6-2-103.

Education.

School districts.

Authority to own and convey, §6-21-108.

Purchase of surplus government property, §6-13-110.

REAL PROPERTY —Cont'd**Education —Cont'd**

School districts —Cont'd

Sale of lands donated by state, §6-13-105.

Rich Mountain Community College.

Transfer of title to certain land, §6-61-704.

University of Arkansas.

Donated land.

Execution of deed, §6-64-218.

Power to sell, §6-64-218.

RECORDATION OF DOCUMENTS.**Colleges and universities.**

Trust conveyances to state for higher learning institutions, §6-62-503.

RECORDS.**Blind and visually impaired.**

School for the Blind.

Purchasing agent, §6-43-220.

Controlled substances.

Recordkeeping requirements.

Ephedrine combination products, pseudoephedrine and phenylpropanolamine, §6-64-1103.

Deaf, deaf or Hard of Hearing.

School for the Deaf.

Contents, §6-43-309.

Secretary and purchasing agent, §6-43-310.

Educational television.

Revolving cash fund, §6-3-109.

School records.

Attendance.

Manner of keeping, §6-18-213.

Teachers to maintain attendance records, §6-18-217.

Cooperatives, §6-13-906.

Education funds for children with disabilities or foster children.

Confidentiality of records, §6-20-510.

Graduation.

School districts to keep records of students leaving school without graduating, §6-18-214.

Military recruiters.

Directors of districts to permit equal access to records, §6-13-626.

School districts.

Boundaries.

Maintenance of records, §6-11-127.

Meetings of directors, §6-13-619.

School lunch program.

Rules for maintaining records, §6-20-704.

RECORDS —Cont'd**School records —Cont'd**

State board of education.

Record of proceedings, §6-11-111.

Student records.

Maintenance of permanent records,
§6-18-901.

Uniform system of records.

State board to prescribe, §6-11-110.

Teachers.

Accumulated sick leave.

Maintenance of records, §6-17-1205.

Attendance records.

Revocation of license for falsifying,
§6-17-407.

Required, §6-17-104.

University of Arkansas.

Financial assistance.

Applications, §6-80-101.

Vocational education and rehabilitation.

Appropriations.

Acceptance of benefits of
congressional act.

Keeping at capitol, §6-51-213.

State board of vocational education.

Record of proceedings, §6-11-111.

RED RIVER**VOCATIONAL-TECHNICAL****SCHOOL, HOPE.****Institution designated as technical college, §6-53-301.****REFUNDS.****Teachers.**

Salaries.

Unearned salaries, §6-17-803.

REGISTRATION.**Community colleges.**Motor vehicles used for school
purposes, §6-51-101.**International student exchange visitor placement organizations, §6-18-1706.**

Failure to register.

Effect, §6-18-1708.

School buses.Exemption from registration,
§6-19-113.**Vocational education and rehabilitation.**Motor vehicles used for school
purposes, §6-51-101.**REHABILITATION SERVICES.****Americans with disabilities act.**Accessibility guidelines for office
facilities, §6-52-105.**REHABILITATION SERVICES**

—Cont'd

Creation as entity within division of workforce services, §6-52-101.**Duties, §6-52-103.****Office facilities.**

Accessibility, §6-52-105.

Powers, §6-52-103.**Retirement systems eligibility of employees, §6-52-104.****Scope of authority, §6-52-102.****Transfer of property, authority and functions, §6-52-102.****Workforce development board.**Rehabilitation services provided,
§6-52-103.**RELIGION.****Colleges and universities.**

Immunization of enrollees.

Religious objections, §6-60-504.

Teachers.

Religious clothing.

Authorized to wear, §6-63-101.

Day of prayer for Arkansas students, §6-10-135.**Education.**

Teachers.

Religious clothing.

Authorized to wear, §6-17-108.

Teachers.

Religious clothing.

Authorized to wear, §6-17-108.

RENT.**Education.**Division of elementary and secondary
education buildings, §6-10-112.**REPORTS.****Agricultural colleges.**

Districts.

Schools.

Boards of trustees, §6-65-112.

Arkansas energy summary and report, §§6-61-1601 to 6-61-1603.**Blind and visually impaired.**School for the Blind, §§6-43-221,
6-43-223.

Publication of reports, §6-43-223.

Charter schools.Open-enrollment public charter
schools.

Initial year of operation.

Monthly reporting requirements,
§6-23-405.Public charter schools reporting to
division of elementary and
secondary education, §6-23-107.

REPORTS —Cont'd**Charter schools —Cont'd**

State board's status report, §6-23-310.

Colleges and universities.

Athletic expenditures and revenues.

Uniform reporting, §6-62-106.

Athletic programs.

Expenditures, §6-62-807.

Comprehensive Arkansas higher education annual report, §§6-60-701 to 6-60-705.

Employees.

Higher education expenditure restrictions.

Administrators.

Salaries, reporting, §6-63-316.

Transfers of appropriations from contingency appropriation.

Monthly reports, §6-63-312.

Financial condition report, §6-61-222.

Graduates requiring postsecondary remediation, §6-61-221.

Minority enrollment, §6-61-124.

Private outside work using campus facilities.

Financial reports, §6-62-401.

Remediation cost for academic year.

Required as condition for receiving state funds, §6-62-107.

Textbooks and course materials.

Inducements to require certain materials, §6-60-602.

Council on postsecondary education and career readiness.

Annual report, §6-5-1104.

Deaf, deaf or Hard of Hearing.

School for the Deaf, §6-43-309.

Biennial reports, §6-43-311.

Education.

ACT assessment program, §6-18-1608.

Alternative learning environments, §6-48-104.

District reporting, §6-48-102.

Athletic expenditures for interschool athletic programs, §6-20-2003.

Attendance.

False attendance reports, §6-18-219.

Penalty, §6-18-219.

Filing of report on attendance, §6-18-213.

Computer network (APSCN).

Use for district reports, §6-11-128.

Cooperatives, §6-13-906.

Educational financial accounting and reporting act of 2004.

Budget of expenditures report, §6-20-2202.

REPORTS —Cont'd**Education —Cont'd**

Education service cooperatives, §6-13-1020.

Evaluations, §6-13-1021.

Exceptional children.

Average daily attendance, §6-41-312.

Children with disabilities, §6-41-223.

Gifted and talented children, §§6-42-102, 6-42-109.

Eye and vision screenings and eye examinations for students, §§6-18-1501, 6-18-1503.

Commission on eye and vision care of school-age children, §6-18-1803.

Financial management data.

Computer network, §6-11-128.

Motor vehicle insurance.

Reporting requirements, §6-21-704.

Office of education renewal zones, §6-15-2505.

Public school student progression, §6-15-2006.

Reporting student drug abuse.

Immunity from civil liability, §6-17-107.

Rewarding excellence in achievement program, §6-15-2609.

School discipline, §6-18-516.

Schoolhouses.

Insurance of buildings, contents and other property, §6-20-1515.

School lunch program.

Rules for maintaining, §6-20-704.

School performance report act, §§6-15-1401, 6-15-1402.

School rating system.

Category levels for improvement.

Report to identify schools in, §6-15-2103.

Reports of assessment programs, §6-15-2101.

State board of education.

Annual report.

Printing and distribution, §6-11-111.

Required, §6-11-111.

Transmission to general assembly, §6-11-111.

Uniform system of records.

Reports to commissioner of elementary and secondary education, §6-11-110.

Student crime, §6-17-113.

Student management data.

Computer network, §6-11-128.

REPORTS —Cont'd**Energy.**

Arkansas energy summary and report,
§§6-61-1601 to 6-61-1603.

Hazing.

Aiding, allowing or failing to report
hazing.

Prohibited, §6-5-202.

**Osteopathic rural medical practice
student loans and scholarships.**

Board, §6-81-1811.

Scholarships.

Academic challenge scholarship
program.

Accountability and transparency of
program.

Annual report regarding use of
lottery proceeds, §6-85-220.

Institution reporting, §6-85-216.

Legislative committees, reports to,
§6-85-219.

School districts.

Dyslexia and related learning
disorders, screening, §6-41-606.

**School leadership coordinating
council, §6-1-405.****Teachers.**

Abusing or insulting teacher engaged
in school responsibilities.

Prosecutions to be reported to
division of elementary and
secondary education, §6-17-106.

Final months pay withheld until
reports returned, §6-17-104.

Lifetime teaching licenses, §6-17-2606.

Reporting student drug abuse.

Immunity from civil liability,
§6-17-107.

Required, §6-17-104.

University of Arkansas.

Expenditures, §6-64-216.

Financial assistance.

Applications, §6-80-101.

Medical center.

Periodic progress reports, §6-64-414.

Radio broadcasting of football and
basketball games, §6-64-104.

**University of Arkansas for medical
sciences.**

Medical department.

Family practice department,
§6-64-409.

Rural medical practice student loans
and scholarships.

Board's reports, §6-81-711.

University of Central Arkansas.

Board of trustees.

Biennial report to general assembly,
§6-67-114.

REPORTS —Cont'd**Vocational education and
rehabilitation.**

Acceptance of benefits of congressional
act, §6-51-214.

RESEARCH.**Colleges and universities.**

Research development act, §§6-61-801
to 6-61-808.

**Research development act,
§§6-61-801 to 6-61-808.****RESTITUTION.****Education.**

Ethics violations, §6-24-115.

RETALIATION.**Colleges and universities.**

Clean air on campus.

Prohibition of smoking, §6-60-804.

RETIREMENT.**Rehabilitation services.**

Eligibility of employees for retirement
systems, §6-52-104.

**RICH MOUNTAIN COMMUNITY
COLLEGE.****Building trades construction
program, §6-61-708.****Comprehensive institution.**

Operation as, §6-61-705.

Construction and interpretation.

Cumulative nature of provisions,
§6-61-703.

Polk County community college.

Use of name, §6-61-702.

**Cumulative nature of provisions,
§6-61-703.****Employees.**

Status of certain employees, §6-61-706.

Henderson state university.

Mena off-campus branch.

Employees, §6-61-706.

Legislative declaration, §6-61-701.**Name, §6-61-702.****Polk County community college.**

Use of name, §6-61-702.

Purpose of provisions, §6-61-701.**Real property.**

Transfer of title to certain land,
§6-61-704.

RIGHT TO READ ACT.**Scientific reading instruction,
§6-17-429.****ROBERT E. LEE'S BIRTHDAY.****Schools.**

Patriotic observance, §6-16-107.

**RURAL MEDICAL PRACTICE
STUDENT LOANS AND
SCHOLARSHIPS.**

**Osteopathic rural medical practice
student loans and scholarships,**
§§6-81-1801 to 6-81-1817.

RURAL MEDICAL SERVICES.

**Osteopathic rural medical practice
student loans and scholarships,**
§§6-81-1801 to 6-81-1817.

S

SAFE SCHOOLS COMMITTEE,
§6-15-1301.

SAFETY.

Education.

Tornado and earthquake safety drills,
§6-10-121.

SAFETY BELTS.

School buses.

Passenger restraint systems,
§§6-19-117, 6-19-130.

SALARIES.

Blind and visually impaired.

School for the Blind.
Employees, §6-43-213.
Teachers, §6-43-213.

Education.

Classified school employee minimum
salary act, §§6-17-2201 to
6-17-2206.

Educational excellence trust fund.

Classroom teacher salary
requirement, §6-5-307.

Nonrecurring salary payments,
§6-20-412.

Teachers, §§6-17-901 to 6-17-919.

SALES.

Agricultural colleges.

Farm products.
Disposition of proceeds, §6-65-110.

Elementary school fundraising,
§§6-18-1101 to 6-18-1104.

School buildings and facilities.

Academic facilities program.
Sale or lease of public school
facilities, §6-21-816.

**Technical college or community
college capital improvement
bonds,** §6-61-1008.

SANITARY NAPKINS.

Feminine hygiene products.

Schools, availability at no charge,
§6-18-717.

SAVINGS BONDS.

Arkansas college savings bond act.
Colleges and universities, §§6-62-701
to 6-62-726.

SCHOLARSHIPS.

**Academic challenge scholarship
program,** §§6-85-201 to 6-85-221.

Accountability and transparency of
program, §§6-85-214 to 6-85-221.

Annual report regarding use of
lottery proceeds, §6-85-220.

Higher education division.

Legislative research bureau,
information from, §6-85-217.

Reporting to, §6-85-216.

Importance, §6-85-214.

Legislative findings and intent,
§6-85-214.

Reports.

Legislative committees, reports to,
§6-85-219.

Amount of award, §6-85-212.

Applicability, §6-85-203.

Arkansas resident.

Defined, §6-85-204.

Eligibility, §6-85-206.

Continuing eligibility, §6-85-210.

Definitions, §6-85-204.

Duration of scholarship, §6-85-210.

Eligibility, §6-85-206.

Continuing eligibility, §6-85-210.

Nontraditional students, additional
requirements, §6-85-208.

Traditional students, additional
requirements, §6-85-207.

Established, §6-85-202.

Funding scholarships, §6-85-212.

Higher education division.

Authority as to provisions,
§6-85-205.

Leave of absence for traditional
student, §6-85-221.

Legislative findings and intent,
§6-85-201.

Lottery-funded scholarships, procedure
for creating or amending,
§§6-85-501 to 6-85-503.

Nontraditional students.

Additional eligibility requirements,
§6-85-208.

Nursing school eligibility, §6-85-213.

Rulemaking to implement provisions,
§6-85-205.

Scholarship hold for traditional
students, §6-85-221.

Traditional students.

Additional eligibility requirements,
§6-85-207.

SCHOLARSHIPS —Cont'd**Academic challenge scholarship program —Cont'd****Traditional students —Cont'd**

Defined, §6-85-204.

Leave of absence, §6-85-221.

Scholarship hold, §6-85-221.

Academic support scholarship, §6-82-108.**Arkansas concurrent challenge scholarship program, §§6-85-401 to 6-85-406.**

Amount of scholarship, §6-85-405.

Award of scholarship, §6-85-405.

Creation of program, §6-85-401.

Definitions, §6-85-402.

Eligible students, §6-85-403.

Funding, §6-85-404.

Rulemaking to implement provisions, §6-85-406.

Arkansas foresters for the future scholarship program, §§6-82-2101 to 6-82-2103.**Arkansas future grant program, §§6-82-1801 to 6-82-1805.****Arkansas workforce challenge scholarship program, §§6-85-301 to 6-85-307.**

Agreements with other institutions to allow students to take courses, §6-85-306.

Award of funds, §6-85-305.

Carryover of unexpended funds, §6-85-303.

Created, §6-85-301.

Definitions, §6-85-302.

Distribution of scholarships, §6-85-305.

Eligibility for scholarship, §6-85-304.

Funding of program, §6-85-303.

Rulemaking to implement provisions, §6-85-307.

Colleges and universities.

Academic and performance scholarships.

Limitations on expenditures for, §6-80-106.

Academic challenge scholarship program, §§6-85-201 to 6-85-221.

Administration by division of higher education, §6-82-105.

Governor's scholars program, §§6-82-301 to 6-82-314.

Lottery-funded scholarships, procedure for creating or amending, §§6-85-501 to 6-85-503.

Minority scholarship or grant programs.

Annual review, §6-82-102.

SCHOLARSHIPS —Cont'd**Colleges and universities —Cont'd**

Peace officers, firefighters, teachers and certain state employees, §§6-82-501 to 6-82-507.

Police corps program, §§6-82-1201 to 6-82-1206.

Policy academy internship in Washington, D.C.

Award of scholarship to students accepted, §6-82-106.

Selective service act.

Compliance with required, §6-80-102.

Concurrent challenge scholarship program, §§6-85-401 to 6-85-406.**Criminal conviction, effect on eligibility, §6-82-107.****Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.****Definitions.**

Academic challenge scholarship program, §6-85-204.

Essays required for institutional scholarships.

Retention by institution, §6-80-108.

Foresters for the future scholarship program, §§6-82-2101 to 6-82-2103.

Eligibility, §6-82-2103.

Establishment, §6-82-2102.

Title of provisions, §6-82-2101.

Geographical critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.**Governor's scholars program, §§6-82-301 to 6-82-314.****Higher education awareness program.**

Compilation and dissemination of scholarship information, §6-5-403.

High-Tech scholarship program, §§6-82-401 to 6-82-410.**Lottery-funded scholarships.**

Academic challenge scholarship program, §§6-85-201 to 6-85-221.

Procedure for creating or amending, §§6-85-501 to 6-85-503.

Bill introduction, §6-85-501.

Committee consideration of bills, §6-85-503.

Fiscal impact statements, §6-85-502.

Minority scholarship or grant program.

Annual review by state board of higher education, §6-82-102.

Osteopathic rural medical practice student loans and scholarships, §§6-81-1801 to 6-81-1817.

SCHOLARSHIPS —Cont'd**Philanthropic investment in****Arkansas Kids Program, tax credit, §§6-18-2301 to 6-18-2308.**

Audit or review of scholarship-granting organization, §6-18-2307.

Award of educational scholarships, cap on average amount, §6-18-2305.

Creation of program, §6-18-2303.

Definitions, §6-18-2302.

Duties of department and division, §6-18-2307.

Duties of scholarship-granting organizations, §6-18-2306.

Eligible contributions to scholarship-granting organization, §6-18-2304.

Prorated contributions, §6-18-2308.

Receipt issued to taxpayer, §6-18-2307.

Reporting requirements, §6-18-2307.

Title of provisions, §6-18-2301.

Police corps program, §§6-82-1201 to 6-82-1206.**Succeed scholarship program, §§6-41-901 to 6-41-908.****Teachers.**

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

Scholarships for teachers in high-needs subject areas, §6-82-1901.

University assisted teacher recruitment and retention grant program, §6-81-1301.

University of Arkansas.

Minority scholarship or grant program.

Annual review by state board of higher education, §6-82-102.

University of Arkansas for medical sciences.

Medical department, §6-64-408.

Workforce challenge scholarship program, §§6-85-301 to 6-85-307.**SCHOOL BUILDINGS AND FACILITIES.****Academic facilities program, §§6-21-801 to 6-21-817.**

Appeals by school districts, §6-21-814.

Arkansas public school academic facilities program act.

Title of act, §6-21-801.

Components, §6-21-804.

Custodial, maintenance, repair and renovation manual, §6-21-808.

SCHOOL BUILDINGS AND FACILITIES —Cont'd**Academic facilities program —Cont'd**

Definitions, §6-21-803.

Development of comprehensive program, §6-21-804.

Distress program, §6-21-811.

Student transfers, §6-21-812.

Equipment.

Public school academic equipment manual, §6-21-810.

Intent and purpose of provisions, §6-21-802.

Master plan program.

Access for persons with disabilities, §6-21-806.

Amendment, §6-21-806.

Components, §6-21-806.

Purpose, §6-21-805.

Review and approval, time, §6-21-806.

School districts, requirements by, §6-21-806.

State plan, §6-21-807.

Submission, procedures and timelines, establishment, §6-21-806.

New construction.

Public academic facility manual, §6-21-809.

Public academic facility manual, §6-21-809.

Public school academic equipment manual, §6-21-810.

Random unannounced on-site inspections, §6-21-813.

Rules, promulgation, §6-21-804.

Sale or lease of public school facilities, §6-21-816.

Unused or underutilized facilities.

Charter schools, right of access, §6-21-815.

Defined, §6-21-803.

Identification, §6-21-806.

Sale or lease, §6-21-816.

Advisory committee on public school academic facilities.

Created to assist division, members, duties, §6-21-113.

Americans with disabilities act compliance committee, §6-21-817.**Bond issues.**

Vocational education and rehabilitation, §6-51-216.

Children with disabilities.

Approval of facilities likely to be used by, §6-41-212.

SCHOOL BUILDINGS AND FACILITIES —Cont'd

Commission for Arkansas public school academic facilities and transportation, §6-21-114.

Community purposes.

Permitting use of facilities for, §6-21-101.

Consolidated school districts.

Unused buildings or real property.
Power to sell or preserve, §6-13-111.

Construction, new academic facilities.

Academic facilities catastrophic program.

Damage due to act of God, §6-20-2508.

Academic partnership program.

Cash payments for new construction, §6-20-2507.

Project cost guidelines.

Formulas established, §6-20-2509.

Public academic facility manual.

Academic facilities program, §6-21-809.

Construction aid.

Plan approval, §6-20-1407.

Rules, §6-20-1401.

Destruction of property, §6-21-604.

Disabilities, persons with.

Public school Americans with disabilities act compliance committee, §6-21-817.

Division of public school academic facilities and transportation, §§6-21-112, 6-21-115.

Drinking water.

Water bottle filling stations, §6-21-119.

Facilities funding.

Public school academic facilities funding act of 2007, §§6-20-2601 to 6-20-2623.

Healthy active Arkansas schools act.

Campus layout and opportunity for physical activities, §6-18-719.

Injury to schoolhouses.

Penalties, §6-21-605.

Insurance of buildings, contents and other property, §§6-20-1501 to 6-20-1515.

Appraisal of losses, §6-20-1508.

Bond issues of localities.

Effect, §6-20-1513.

Cancellation of insurance, §6-20-1506.

Citation of subchapter, §6-20-1501.

Department of insurance.

Powers and duties of department, §6-20-1503.

SCHOOL BUILDINGS AND FACILITIES —Cont'd

Insurance of buildings, contents and other property —Cont'd

Effect of federal assistance, §6-20-1509.

Establishment of system, §6-20-1502.

Federal assistance.

Effect, §6-20-1509.

Funds.

Disposition, §6-20-1512.

Investment of reserve funds, §6-20-1514.

Information furnished by officials, §6-20-1505.

Investments of reserve funds, §6-20-1514.

Losses.

Payment, §6-20-1508.

Maintenance, inspection and engineering services, §6-20-1506.

Officials to furnish information, §6-20-1505.

Permanent insurance reserve fund, §6-20-1511.

Premiums.

Payment, §6-20-1507.

Rate, §6-20-1507.

Reports.

Annual reports, §6-20-1515.

Title of subchapter, §6-20-1501.

Leasing of academic facilities,

§§6-21-117, 6-21-816.

Tax exemptions for leased facilities, §6-21-118.

Public school academic facilities program act, §§6-21-801 to 6-21-817.

Public school Americans with disabilities act compliance committee, §6-21-817.

Rent on division of elementary and secondary education buildings, §6-10-112.

Smoking, use of tobacco or tobacco products, e-cigarettes.

Use prohibited, §6-21-609.

Taxation of public school buildings.

Exemptions, §6-21-118.

Tornadoes, approval of building plans and designs, §6-21-116.

Unused buildings or real property.

Consolidated school districts.

Power to sell or preserve, §6-13-111.

Water bottle filling stations, §6-21-119.

SCHOOL BUSES.**Abusive behavior on buses.**

Parental monitors on school buses,
§6-19-127.

Advertising.

Authority to advertise on school buses,
§6-19-129.
Competitive bids, §6-19-114.

Bids.

Advertising for bids, §6-19-114.
Purchase upon competitive bids,
§6-19-114.

Cameras.

Automated school bus safety cameras,
§6-19-131.

Cell phone, use while driving bus,
§6-19-120.**Choice of public schools.**

Responsibility for transportation costs,
§6-18-227.

**Commission for Arkansas public
school academic facilities and
transportation, §§6-11-116,
6-21-114.****Contracts.**

Contracts with member of school
board.
Null and void, §6-19-102.

Criminal law and procedure.

Cell phone, use while driving bus,
§6-19-120.
Seating, overcrowding, §6-19-119.

Defined, §6-19-110.**Design.**

Rules relative to design, §6-19-111.

**Division of elementary and
secondary education.**

Mirrors.
Rules, §6-19-116.

**Division of public school academic
facilities and transportation,
§§6-21-112, 6-21-115.****Drivers.**

Applicable laws.
Compliance, §6-19-104.
Application for employment,
§6-19-107.
Certificate, §6-19-108.
Chauffeur's license.
Exemption, §6-19-106.
Circumstances permitting nonqualified
driver, §6-19-108.
Employment as school bus driver.
Requirements, §6-19-108.
Evaluation of driving record,
§6-19-107.
Extracurricular trips, §6-19-108.
Generally, §6-19-104.

SCHOOL BUSES —Cont'd**Drivers —Cont'd**

Misdemeanors.
Tests.

Violators guilty of misdemeanor,
§6-19-108.

Nonqualified drivers.

Circumstances permitting,
§6-19-108.

Operation on temporary basis,
§6-19-108.

Qualifications, §6-19-106.

Removal of certificate, §6-19-108.

Seat belts.

Driver to wear seat belt, §6-19-109.

Stopped school bus, vehicle passing.

Driver to report to superintendent,
§6-19-110.

Tests, §6-19-108.

Initial tests, §6-19-108.

Requirements for employment as
school bus driver, §6-19-108.

Violations of act, §6-19-108.

Equipment.

Automated school bus safety cameras,
§6-19-131.

Mirrors.

Authority to adopt appropriate
rules, §6-19-116.

Required, §6-19-116.

Passenger restraint systems,
§§6-19-117, 6-19-130.

Safety equipment, §6-19-117.

Extracurricular trips, §6-19-108.**Extreme right side of road.**

Loading and discharging students,
§6-19-110.

Fines.

Seating, overcrowding, §6-19-119.

Flashing red lights.

Passing when stopped.

Notice on school buses, §6-19-126.

**Hiring or purchasing vehicles,
§6-19-102.**

Bids for purchase, §6-19-114.

Identification.

Permit numbers to identify, §6-19-115.

Insurance.

School vehicle insurance program,
§§6-21-701 to 6-21-710.

Liability.

Directors exempt, §6-19-103.

Loading and discharging students.

Extreme right side of road, §6-19-110.

**Maintenance management
programs.**

Duty to develop and implement,
§6-19-122.

SCHOOL BUSES —Cont'd**Markings**, §6-19-119.**Minimum standards**, §6-19-114.**Mirrors.**Authority to adopt appropriate rules,
§6-19-116.

Required, §6-19-116.

Monitors.Parental monitors on school buses,
§6-19-127.**Motor vehicles.**

Defined, §6-19-110.

Nonconforming vans.

Purchase prohibited, §6-19-121.

Notice on, §6-19-126.**Operation.**

Rules relative to operation, §6-19-111.

Parental monitors on school buses,
§6-19-127.**Passenger restraint systems**,
§§6-19-117, 6-19-130.**Passing when stopped.**Driver to report to superintendent,
§6-19-110.

Notice on school buses, §6-19-126.

Penalties.

Drivers' tests.

Penalty for violation of act,
§6-19-108.**Permit numbers.**

Failure to comply, §6-19-115.

Identification of school buses,
§6-19-115.

Location on bus, §6-19-115.

Notice to school districts, §6-19-115.

Withholding of funds, §6-19-115.

Purchases.

Advertising for bids, §6-19-114.

Competitive bids, §6-19-114.

State board to purchase for district,
§6-19-114.**Regional community alternative
learning environment centers.**Funding for school district
transporting students attending,
§6-11-210.**Registration.**Exemption from registration,
§6-19-113.**Rules**, §6-19-101.Design and operation of buses,
§6-19-111.**Mirrors.**Authority to adopt appropriate
rules, §6-19-116.Violations by officers or employees of
school districts, §6-19-111.**SCHOOL BUSES —Cont'd****Safe, reliable and efficient
transportation measures**,
§6-19-122.**Safety.**Operation prohibited until passengers
seated, §6-19-119.**Safety equipment**, §6-19-117.Automated school bus safety cameras,
§6-19-131.Passenger restraint systems,
§§6-19-117, 6-19-130.**Safety equipment grant pilot
program**, §6-19-125.**School districts.**

Directors.

Exemption from liability, §6-19-103.

Purchase of buses for district by state
board, §6-19-114.

Purchase of used buses, §6-21-306.

Vehicles used to transport pupils in
one district not to be used to
transport pupils in another,
§6-19-102.**Seat belts.**Passenger restraint systems,
§§6-19-117, 6-19-130.**Seating**, §6-19-119.**Standards.**Buses purchased to meet certain
standards, §6-19-114.**State board of education.**Purchase of buses for district by state
board, §6-19-114.

Rules.

Design and operation of buses,
§6-19-111.

Rules and standards, §6-19-101.

Stopping.

Passing stopped school bus.

Driver to report to superintendent,
§6-19-110.

Notice on school buses, §6-19-126.

Student behavior.Operation prohibited until passengers
seated, §6-19-119.**Taxation.**

Exemption from taxation, §6-19-112.

Tests.

Drivers, §6-19-108.

Initial test, §6-19-108.

Penalty for violations, §6-19-108.

Requirements for employment as
school bus driver, §6-19-108.**Transportation of pupils authorized**,
§6-19-102.**SCHOOL CALENDARS.****Adoption of academic calendar**,
§6-10-106.

SCHOOL CALENDARS —Cont'd
Alternate school calendar, §6-10-106.

SCHOOL DISTRICTS.

Abandonment of school property.

Sale of property securing deed of trust,
 §6-20-1222.

Academic facilities master plan,
 §§6-21-805 to 6-21-807.

Academic facilities program,
 §§6-21-801 to 6-21-817.

Actions.

Costs and expenses of proceedings.

Charging to district, §6-13-623.

Power to sue and be sued, §6-13-102.

Activity funds, §6-13-701.

Alternative learning environments.

Reporting by district, §6-48-102.

Requirement that districts provide,
 §6-48-102.

Annexation and consolidation,

§§6-13-1401 to 6-13-1417.

Academic facilities funding.

Collaboration incentives, §6-20-2510.

Appeal of adverse agency decision,
 §6-13-1410.

Authority, §6-13-1402.

Boundary change by state board of
 education, §6-13-1414.

Conditions for annexation, §6-13-1403.

Conditions for consolidation,
 §6-13-1404.

Consolidation to prevent public school
 campus closure, §6-13-1416.

Defined terms, §6-13-1401.

Desegregation efforts.

Annexation or consolidation may not
 hamper, delay or negatively
 affect, §6-13-1408.

District school bonds.

Liability of annexing district,
 §6-20-1214.

Duties of state board of education,
 §6-13-1409.

Fiscal assessment and accountability.

Actions by state board, §6-20-1910.

Fund balances, use of, §6-13-1411.

Interim board of directors.

Involuntary annexation or
 consolidation, §6-13-1415.

Voluntary annexation or
 consolidation, §6-13-1416.

Involuntary, upon motion of state
 board, §6-13-1415.

Liability for contracts and debts.

Receiving or resulting district,
 §6-13-1407.

Order establishing changed
 boundaries, §§6-13-1403,
 6-13-1404.

SCHOOL DISTRICTS —Cont'd
Annexation and consolidation
 —Cont'd

Permanent board of directors,
 formation, §6-13-1417.

Petition for annexation, §6-13-1403.

Petition for consolidation, §6-13-1404.

Prior consent and approval,
 §6-13-1402.

Public education reorganization act,
 §§6-13-1601 to 6-13-1613.

Successors in interest.

Receiving or resulting district,
 §6-13-1407.

Voluntary, board of directors following,
 §6-13-1416.

**Assumption of authority of district
 by state board or commissioner.**

Responsibilities, §6-13-112.

Attendance.

Attendance in another district,
 §§6-18-204, 6-18-205.

Choice of school based on performance
 levels, §6-18-227.

Consolidated districts.

Attending classes and programs not
 offered at assigned school,
 §6-18-228.

Correction division employees' children
 or wards.

Transfers of employees among units.
 Impact on children's or ward's
 attendance in district
 enrolled, §6-18-203.

Students in one district attending
 school in another district,
 §6-18-204.

Audits, §§6-20-1801 to 6-20-1806.

Teachers salary law.

Audits of account, §6-17-913.

Treasurers, §6-13-701.

**Best financial management
 practices**, §6-15-2301.

General business manager defined,
 §6-15-2302.

Bids and bidding.

Purchases of commodities, §6-21-304.

Exemptions from bidding
 requirements, §6-21-305.

Body corporate, §6-13-102.

Bond issues, §§6-20-1201 to 6-20-1229.

Advancements for bond payments by
 county treasurer prior to
 settlement date, §6-20-1226.

Annexation.

Liability of annexing district,
 §6-20-1214.

Approval of bond issues, §6-20-1215.

SCHOOL DISTRICTS —Cont'd**Bond issues —Cont'd**

- Authority to borrow money,
§6-20-1201.
- Authorized bond issues.
Conversion, §6-20-1202.
- Certificates of indebtedness.
Issuance, §6-20-1225.
- Compacts.
Indebtedness and pledging millage
unauthorized, §6-13-806.
- Compliance with existing statutes,
§6-20-1203.
- Conversion of authorized bond issues,
§6-20-1202.
- Debt service fund.
Act cumulative, §6-20-1210.
Purpose, §6-20-1209.
Separate amount for fund not shown
on tax books, §6-20-1211.
Separate records by treasurer,
§6-20-1211.
- Tax books.
Separate amount for fund not
shown on tax books,
§6-20-1211.
- Uses, §6-20-1210.
- Warrants on fund, §6-20-1210.
- Deeds of trust.
Sale of school property securing
deed of trust, §6-20-1222.
- Default.
Priority in case of default.
Resolution setting, §6-20-1212.
- Delinquency in payments.
Withholding state funding due
district, §6-20-1204.
- Delivery and payment in installments,
§6-20-1207.
- Dissolution of district.
Maturity of bonds, §6-20-1214.
- Existing statutes.
Bonds to comply, §6-20-1203.
- Form of bonds, §6-20-1204.
- Installment payments, §6-20-1207.
- Interest, §6-20-1206.
- Issuance of bonds, §6-20-1228.
Second-lien commercial bonds,
§6-20-1229.
- Limitations of bonded indebtedness,
§6-20-1202.
- Maturity of bonds.
Dissolution of districts shall not
mature bonds, §6-20-1214.
- Negotiable coupon bonds.
Authority to issue, §6-20-1201.
- Payments, §6-20-1204.
Advancements by treasurer prior to
settlement, §6-20-1226.

SCHOOL DISTRICTS —Cont'd**Bond issues —Cont'd**

- Payments —Cont'd
Delivery of bonds upon payment,
§6-20-1208.
- Duty to pay on maturity,
§6-20-1213.
- Failure to pay.
Effect, §6-20-1213.
- Installment payments, §6-20-1207.
- Remedy to enforce payment,
§6-20-1214.
- Penalties.
Charging brokerage fees or
commissions, §6-20-1206.
- Recordation, §6-20-1208.
- Refunding bonds.
Authorized, §6-20-1216.
Conditions, §6-20-1223.
Conversion and sale, §6-20-1218.
- Deeds of trust.
Endorsement on record of deed of
trust, §6-20-1224.
- Issuance without election,
§6-20-1223.
- Payment in full, §6-20-1224.
- Records.
Duties of county treasurer,
§6-20-1219.
- Security, §6-20-1223.
- Validation, §6-20-1220.
- Refunding of bonded indebtedness,
§6-20-1228.
- Registration, §6-20-1208.
- Resolutions.
Priority in case of default.
Setting, §6-20-1212.
- Sale.
Approval of statement submitted to
commissioner prior to bond sale,
§6-20-1205.
- Brokerage fees or commissions.
Prohibited, §6-20-1206.
- Manner and terms, §6-20-1206.
- School maintenance and operation.
Authority to issue bonds for,
§6-20-1228.
- Second-lien commercial bonds,
issuance, §6-20-1229.
- Security for bonds, §6-20-1204.
- Statement of amount proposed to be
borrowed.
Approval by commissioner,
§6-20-1205.
- Boundaries.**
Annexation and consolidation,
§§6-13-1401 to 6-13-1417.

SCHOOL DISTRICTS —Cont'd**Boundaries —Cont'd**

Changes by state board of education,
§6-13-1414.

Maintenance of record, §6-11-127.

State board of education boundary
change, §6-13-1414.

Uncertain boundaries, §6-13-104.

Breakfast program, §6-18-705.**Budgets.**

Best financial management practices,
§6-15-2301.

General business manager defined,
§6-15-2302.

Directors.

Preparation by directors, §6-13-620.

Calendar.

Adoption of academic calendar,
§6-10-106.

Alternate school calendar, §6-10-106.

Child abuse and neglect.

Updating of school district policies in
accordance with law, §6-10-124.

**Commissioner of elementary and
secondary education assuming
authority of district.**

Responsibilities, §6-13-112.

**Commission on closing the
achievement gap in Arkansas,
§§6-15-1601, 6-15-1603.****Community purposes.**

Community purposes enumerated,
§6-21-101.

Permitting use of school facilities for,
§6-21-101.

Compacts.

Amendments, §6-13-805.

Approval by school board, §6-13-803.

Authorized, §6-13-801.

Indebtedness and pledging millage
unauthorized, §6-13-806.

Provisions, §6-13-802.

Residence of pupils unchanged,
§6-13-807.

Resolution of board, §6-13-803.

Submission to state board of
education, §6-13-804.

Traveling teacher program, §6-13-808.

Computers.

Arkansas public schools computer
network (APSCN).

Applications required for district
reports, §6-11-128.

Public education surplus computer
loan program, §6-17-118.

Websites.

Data accessible, §6-11-129.

SCHOOL DISTRICTS —Cont'd**Computers —Cont'd**

Websites —Cont'd

Notice of meetings of board of
directors, §6-13-619.

**Consolidated school districts,
§6-13-111.****Consolidation or merger.**

Interim personnel policy committee,
§6-17-209.

Special elections.

Tax millage, §6-14-122.

Contacts, §6-18-319.**Contracts.**

Student teachers, §6-17-305.

Conveyances.

Directors' authority to convey section
lands, §6-13-621.

Cooperatives.

General provisions, §§6-13-901 to
6-13-906.

Corporate body, §6-13-102.**County treasurers.**

Audits, §6-13-701.

Bonds.

Execution of surety bond, §6-13-701.

Commission, §6-13-701.

Compensation, §6-13-701.

Duties, §6-13-701.

Fraud.

Penalty for fraudulent use of funds,
§6-13-701.

Funds turned over to treasurer.

Receipts for funds received,
§6-13-701.

Receipts for funds turned over to
treasurer, §6-13-701.

Records.

Audit of records, §6-13-701.

**Creation by detaching territory
from another district, §§6-13-1501
to 6-13-1505.**

Attendance requirements, §6-13-1502.

Board of directors.

Temporary board, §6-13-1505.

Election on proposition, §6-13-1504.

Hearing on validity.

Petition for detachment, §6-13-1504.

Initiation of proceedings, §6-13-1503.

Legislative intent, §6-13-1501.

Minimum area, §6-13-1502.

Order of creation, §6-13-1505.

Petition for detachment, §6-13-1503.

Hearing on validity, §6-13-1504.

Purpose, §6-13-1501.

Resolution for detachment, §6-13-1503.

Transition period, §6-13-1505.

SCHOOL DISTRICTS —Cont'd**Current indebtedness.**

Defined, §6-20-401.

Limitations, §6-20-402.

Debt, incurring.

Limitations, §6-13-1608.

Debt service fund.

Act cumulative, §6-20-1210.

Authority to establish, §6-20-1209.

Purpose of fund, §6-20-1209.

Tax books.

Extension of school taxes,
§6-20-1211.Separate amount for building fund
not shown on tax books,
§6-20-1211.

Use of fund, §6-20-1210.

Deeds of trust.

Bond issues.

Endorsement on record of deed of
trust, §6-20-1224.Sale of school property securing deed
of trust, §6-20-1222.**Defense of district.**Costs and expenses of proceedings,
§6-13-623.**Definitions.**

Purchases of commodities, §6-21-301.

**Desegregation orders, school district
subject to.**

Notices to department, §6-13-113.

Directors.

Abstention from voting, §6-13-619.

Annexation and consolidation.

Formation of permanent board of
directors, §6-13-1417.

Interim board of directors.

Involuntary annexation or
consolidation, §6-13-1415.Voluntary annexation or
consolidation, §6-13-1416.

Budgets.

Powers and duties as to, §6-13-620.

Publication of budget, §6-13-622.

Commission, §6-13-617.

Community purposes.

Permitting use of school facilities
for, §6-21-101.Conflict of interest with issue at
meeting, §6-13-619.Conveyance of section lands,
§6-13-621.

Disbursing officers.

Signature, §6-13-618.

Elections.

Minority population effect on
election, §6-13-631.**SCHOOL DISTRICTS —Cont'd****Directors —Cont'd**

Elections —Cont'd

Single-member zones.

Local option to elect, §6-13-615.

Zone and at-large election,
§6-13-630.

Felons.

Conviction of felony creates vacancy,
§6-13-612.

Filling vacancies.

Conviction of felony, §6-13-612.

Instruction, §6-13-629.

Meeting facilities, §6-13-632.

Meetings, §6-13-619.

Minutes and records, §6-13-619.

Military recruiters.

Permitting equal access to facilities
and records, §6-13-626.

Military training equipment.

Contracts, §6-21-103.

Minutes, §6-13-619.

Nonresident of school district,
§6-13-634.

Oath of office, §6-13-617.

Odd number required, §6-13-634.

Officers.

Election, §6-13-618.

Oil, gas and mineral leases.

Execution by directors, §6-13-624.

Organization, §6-13-618.

Powers and duties, §6-13-620.

Qualifications, §6-13-616.

Records, §6-13-619.

Remote attendance at meetings,
§6-13-619.

Residence requirement, §6-13-616.

Salary increase for district employees.

Review and approval by written
resolution, §6-13-635.

Size of board, §6-13-634.

Student teachers.

Boards may contract, §6-17-305.

Term, §6-13-608.

Conviction of felony creates vacancy,
§6-13-612.

Training, §6-13-629.

Vacancies, §6-13-611.

Conviction of felony, §6-13-612.

Filling.

Temporary vacancies, §6-13-613.

Temporary vacancies, §6-13-613.

Voting, §6-13-619.

Effect of abstaining, §6-13-619.

Warrants for the payment of money.

Authority to draw warrants,
§6-20-403.

SCHOOL DISTRICTS —Cont'd**Dissolution.**

- District school bonds.
- Dissolution of district shall not mature bonds, §6-20-1214.

Distance learning demonstration projects.

- Public school district and charter school distance learning program, §6-47-406.

Distress.

- Fiscal assessment and accountability program, §§6-20-1901 to 6-20-1914.

District contacts, §6-18-319.**District of innovation program.**

- One or more schools of innovation, §§6-15-2801 to 6-15-2804.

Donation of lab equipment seized under drug paraphernalia law, §6-21-102.**Donation of real property.**

- Requisition, right of first refusal, §6-21-108.

Elections.

- Directors.
- Minority population effect on election, §6-13-631.
- Single-member zones.
- Local option to elect, §6-13-615.
- Zone and at-large elections, §6-13-630.
- District situated in more than one county, preelection procedures, §6-14-124.

Eminent domain.

- Districts granted power, §6-13-103.

Energy saving contracts for projects, §6-20-405.**Epinephrine.**

- Use by or administration to school students, §6-18-707.

Ethics, §6-24-105.

- Vacancies, filling, §6-24-117.

Faculty involvement program, §6-63-502.**Federal aid.**

- Interest-free loans from federal agencies.
- Acceptance, §6-20-411.

Fiscal assessment and**accountability, §§6-20-1901 to 6-20-1914.**

- Actions by commissioner, §6-20-1909.
- Actions by state board, §6-20-1910.
- Appeal of identification as distressed, §6-20-1905.

SCHOOL DISTRICTS —Cont'd**Fiscal assessment and accountability —Cont'd**

- Classification of distress status, §6-20-1906.
- Debt issuance, approval, §6-20-1907.
- Definitions, §6-20-1903.
- General business managers, requirements, §6-20-1913.
- Indicators of distress, §6-20-1904.
- Notice of distress, §6-20-1905.
- Plan to address distress, §6-20-1908.
- Purpose of provisions, §6-20-1902.
- Return of district to local control.
- Fiscal support and monitoring, §6-20-1912.
- Review of financial management practices, §6-20-1914.
- Rules, §6-20-1911.
- Title of provisions, §6-20-1901.

Floor plan on file with emergency management coordinator, §6-10-125.

- Floor plan defined, §6-10-125.

Fraud.

- Treasurers.
- Penalty for fraudulent use of funds, §6-13-701.

Funds.

- Fund balance limitations, §6-20-2210.

Graduation.

- Districts to keep records of students leaving school without graduating, §6-18-214.

Group insurance.

- Independent school districts, §6-17-1115.

Health insurance.

- Contribution for public school employees, §6-17-1117.

High-growth districts.

- Academic facilities funding.
- Loan program, §6-20-2511.

Independent school districts.

- Group insurance, §6-17-1115.

Insurance.

- Group insurance for independent school districts, §6-17-1115.
- Liability insurance for board members, §6-13-625.

Isolated school districts.

- Additional funding, §6-20-604.
- Closure of isolated schools, §6-20-602.
- Continued support, §6-20-603.
- Definitions, §6-20-601.
- Eligibility for funding, §6-20-601.
- Isolated schools, §6-20-602.

SCHOOL DISTRICTS —Cont'd**Isolated school districts —Cont'd**

Special needs funding, additional
funding, §6-20-604.

Kindergartens.

Program to be offered by each school
district, §6-16-201.

Kinds of school districts.

Only one kind, §6-13-101.

Lab equipment.

Donation of equipment seized under
drug paraphernalia law,
§6-21-102.

Leases.

Oil, gas and mineral leases.

Execution by directors, §6-13-624.

Former leases validated, §6-13-624.

Legal counsel.

Employment authorized, §6-13-623.

Limitation on current indebtedness,

§6-20-402.

Loans.

Federal agencies.

Interest-free loans from.

Acceptance by school district,
§6-20-411.

Military recruiters.

Directors to permit equal access to
facilities and records, §6-13-626.

Military training equipment.

Directors.

Contracts for, §6-21-103.

Minimum standards.

Quality education act generally,
§§6-15-201 to 6-15-216.

Misdemeanors.

Purchases of commodities.

Violations of provisions, §6-21-302.

Motor vehicles.

New motor vehicles, purchase from
motor vehicle dealer, §6-21-307.

Name, §6-13-102.**Non-revenue receipts.**

Contents, §6-20-401.

Defined, §6-20-401.

Nurses.

School nurse, §6-18-706.

Oil and gas.

Leases.

Execution by directors, §6-13-624.

Former leases validated, §6-13-624.

Only one kind of school district,

§6-13-101.

Parent and family engagement

plans, §6-15-1701 to 6-15-1705.

Penalties.

Purchases of commodities.

Violations a misdemeanor,
§6-21-302.

SCHOOL DISTRICTS —Cont'd**Penalties —Cont'd**

Treasurers.

Fraudulent use of funds, §6-13-701.

Personnel policy law for classified

employees, §6-17-2301 to
6-17-2306.

Petty cash fund.

Created, §6-20-409.

Invoices, §6-20-409.

Payment from fund.

No payments until supplies
delivered, §6-20-409.

Playgrounds, §§6-21-501 to 6-21-505.**Postdated warrants.**

Liability of improperly drawn warrant,
§6-20-402.

School boards may issue for certain
purposes, §6-20-402.

Powers and duties.

Generally, §6-13-102.

Public education reorganization act,

§§6-13-1601 to 6-13-1613.

Public-public partnerships.

Project delivery method, §6-20-414.

Public recreation and playgrounds.

Authorized, §6-21-501.

Cooperation, §6-21-502.

Gifts.

Acceptance of gifts and bequests,
§6-21-503.

Powers of districts, §§6-21-501,
6-21-502.

Property used for activities, §6-21-503.

School facilities.

Secondary use, §6-21-505.

School facilities.

Use.

Secondary use, §6-21-505.

State aid.

No state aid, §6-21-502.

Public school funding act of 2003,

§§6-20-2301 to 6-20-2309.

Pupils.

Residence.

Compacts.

Residence of pupils unchanged,
§6-13-807.

Purchases of commodities, §§6-21-301

to 6-21-307.

Bids and bidding, §6-21-304.

Exemptions from bidding
requirements, §6-21-305.

Definitions, §6-21-301.

Exemptions from bidding

requirements, §6-21-305.

Manner of making commodities
purchases, §6-21-304.

SCHOOL DISTRICTS —Cont'd**Purchases of commodities —Cont'd**

New motor vehicles, purchase from motor vehicle dealer, §6-21-307.

Penalties for violations, §6-21-302.

Rules, §6-21-303.

Small communities.

Purchases without bids, §6-13-628.

Used school buses, §6-21-306.

Violation a misdemeanor, §6-21-302.

Quality education act generally,

§§6-15-201 to 6-15-216.

Real property.

Authority to acquire and hold real estate, §6-13-102.

Authority to own and convey, §6-21-108.

Lands donated by state.

Sale by district, §6-13-105.

Use of proceeds from sale, §6-13-105.

Records.

Attendance records, §6-18-213.

Refinancing postdated warrants,

§6-20-402.

Report cards, §6-15-903.**Reports.**

Efficiency in reporting, §6-10-129.

Electronic signatures, §6-10-129.

Students leaving school without graduating, §6-18-214.

Revenue receipts.

Contents, §6-20-401.

Defined, §6-20-401.

Rewarding excellence in achievement program,

§§6-15-2601 to 6-15-2610.

Rules.

Purchases of commodities, §6-21-303.

Salaries.

Increase for district employees.

Review and approval by written resolution, §6-13-635.

Nonrecurring salary payments, §6-20-412.

School boards.

Compacts.

Approval by board, §6-13-803.

Liability insurance, §6-13-625.

Meeting facilities, §6-13-632.

Membership in state association of school board officials.

Authorized, §6-13-107.

School performance report act,

§§6-15-1401, 6-15-1402.

School resource officers.

Memorandum of understanding with local law enforcement agency, §6-10-128.

SCHOOL DISTRICTS —Cont'd**School resource officers —Cont'd**

Teachers, recommendation of suspension.

Notice to school resource officer, §6-17-1508.

Teachers, recommendation of termination.

Notice to school resource officer, §6-17-1507.

School superintendent, employment of, §6-13-109.**School worker defense program,**

§§6-17-1113, 6-17-1118.

Sixteenth section school lands,

§6-13-108.

State board of education assuming authority of district.

Responsibilities, §6-13-112.

Surplus property.

Purchase of government property, §6-13-110.

Takeover of school district by state board of education.

Authority of board, §6-11-105.

Taxation.

Remittance of local taxes to school district treasurer, §6-13-701.

Teacher of the year, §§6-17-2501 to 6-17-2506.**Teacher recruitment incentives in high-priority districts, §6-17-811.****Teachers.**

Districts and officers relieved from liability for breach of contracts, §6-17-803.

Transfer of children from one district to another.

Adjoining district, §6-18-307.

Facilities distress.

Student transfers from district classified as in, §6-21-812.

Petition of students, §6-18-316.

Prohibited transfers, §6-18-317.

Records.

Provision of permanent student records to receiving district, §6-18-901.

Traveling teacher program, §6-13-808.**Treasurers.**

Ethics, §6-24-106.

Restrictions on employment, §6-24-111.

Remittance of local taxes to school district treasurer, §6-13-701.

Unsafe school choice program.

Transfer of victim of violent offense to safe public school, §6-18-320.

SCHOOL DISTRICTS —Cont'd**Warrants for the payment of money.**

Authority to draw warrants,
§6-20-403.

Bonded indebtedness.

Description, §6-20-404.

Recorded by treasurer before
cashing, §6-20-404.

Issuance of warrant to pay bond,
§6-20-404.

Cashing warrants without description.

Liability of treasurer and bondsmen,
§6-20-404.

Countersignatures required, §6-20-403.

Energy savings contract, §6-20-405.

Improperly drawn warrants,
§6-20-402.

Petty cash fund.

Creation, §6-20-409.

Invoices, §6-20-409.

Payments from fund stop until
supplies delivered, §6-20-409.

Postdated warrants, §6-20-402.

Websites.

Data accessible, §6-11-129.

Notice of meetings of board of
directors, §6-13-619.

Withholding from state foundation funding.

Failure to pay postdated warrants,
installment contracts or
lease-purchase agreements.

District authorization, payees,
payment from withheld funds,
§6-20-402.

SCHOOL FINANCE.**Athletic event gate receipts,**
§6-20-417.**Athletic program funds tracking,**
§§6-20-2001 to 6-20-2004.**Audits.**

Training of bookkeepers, §6-20-1805.

**Educational financial accounting
and reporting act of 2004,**
§§6-20-2201 to 6-20-2210.

Budget of expenditures report,
§6-20-2202.

Entitlement to state aid, §6-20-2206.

Financial accounting handbook,
§6-20-2207.

Fund balance limitations, §6-20-2210.

Monitoring of expenditures,
§6-20-2208.

Overpayments, §6-20-2206.

Penalty for failure to comply,
§6-20-2205.

Prohibited expenditures, §6-20-2206.

SCHOOL FINANCE —Cont'd**Educational financial accounting
and reporting act of 2004**

—Cont'd

Rulemaking authority, §6-20-2207.

Tier I training.

Persons required to have, failure to
obtain or complete, §6-20-2204.

Tier II training.

Persons required to complete,
§6-20-2204.

Title of provisions, §6-20-2201.

Training required, §6-20-2204.

Uniform budget and accounting
system, §6-20-2203.

Withholding of aid for failure to
submit report, §6-20-2202.

Facilities funding act of 2005,

§§6-20-2501 to 6-20-2517.

Academic facilities review board,
§6-20-2516.

Academic partnership program,
§6-20-2507.

Advisory committee on public school
academic facilities.

Created to assist division, members,
duties, §6-21-113.

Appeal of determination, §6-20-2513.

Bonded debt assistance.

Retiring outstanding bonded
indebtedness, state financial
assistance, §6-20-2503.

Catastrophic program, §6-20-2508.

Collaboration with other districts.

Incentives, §6-20-2510.

Commission for Arkansas public school
academic facilities and
transportation, §6-21-114.

Consolidation of districts or
annexation of district by another.

Incentives for collaboration,
§6-20-2510.

Definitions, §§6-20-2502, 6-20-2503.

Disasters.

Academic facilities catastrophic
program, §6-20-2508.

Division of public school academic
facilities and transportation,
§§6-21-112, 6-21-115.

Emergency loans.

High-growth districts.

Assistance with excess debt
service requirements,
§6-20-2511.

Extraordinary circumstances program,
§6-20-2514.

High-growth school district loan
program, §6-20-2511.

SCHOOL FINANCE —Cont'd
Facilities funding act of 2005

—Cont'd

- New construction.
- Academic partnership program,
§6-20-2507.
- Project cost guidelines.
- Formulas established, §6-20-2509.
- Nursing center, §6-20-2517.
- Project cost guidelines.
- Formulas established, §6-20-2509.
- Retiring outstanding bonded
indebtedness, state financial
assistance, §6-20-2503.
- Review conferences, §6-20-2515.
- Rules, promulgation, §6-20-2512.
- Title of act, §6-20-2501.

Facilities funding act of 2007,

§§6-20-2601 to 6-20-2623.

- Actions on bonds, §6-20-2621.
- Authority to issue bonds, §6-20-2603.
- Bond obligations not impaired,
§6-20-2615.
- Construction of provisions, §6-20-2622.
- Date for issuance of bonds, §6-20-2623.
- Debt service on bonds, §6-20-2611.
- Definitions, §6-20-2602.
- Election on bond issuance, §6-20-2617.
- Determination of voters, §6-20-2618.
- Fund, §6-20-2609.
- Maximum principal amount of bonds
issued, §6-20-2603.
- Powers of commission, §6-20-2614.
- Prior authority to issue bonds not
affected, §6-20-2619.
- Proceeds of bonds, §6-20-2609.
- Purpose of bonds, §6-20-2605.
- Refunding bonds, §6-20-2613.
- Repurchase agreements, §6-20-2609.
- Resolution authorizing, §6-20-2606.
- Rights not created until sale of bonds,
§6-20-2616.
- Sale of bonds, §6-20-2608.
- Severability of provisions, §6-20-2620.
- Signatures on bonds, §6-20-2607.
- State pledge to pay bonds, §6-20-2610.
- Tax exemptions, §6-20-2612.
- Terms and conditions of bonds,
§6-20-2604.
- Title of provisions, §6-20-2601.
- Trust indentures, §6-20-2606.

Fiscal assessment and
accountability program,
 §§6-20-1901 to 6-20-1914.

Fund balance limitations, §6-20-2210.

Public school funding act of 2003,

§§6-20-2301 to 6-20-2309.

- Authority of state board, §6-20-2304.

SCHOOL FINANCE —Cont'd
Public school funding act of 2003

—Cont'd

- Definitions, §6-20-2303.
- Enhanced transportation funding,
§6-20-2309.
- Funding received, §6-20-2305.
- Legislation concerning public school
funding.
- State board to provide access to,
§6-20-2304.
- Legislative findings, §6-20-2302.
- Miscellaneous funds, calculation,
§6-20-2308.
- Overpayments, §6-20-2306.
- Property tax report, §6-20-2307.
- Title of act, §6-20-2301.
- Vocational center aid, §6-20-2305.

Scholastic activity funds tracking,

§§6-20-2101 to 6-20-2104.

State foundation funding aid.

- Public school funding act of 2003,
§§6-20-2301 to 6-20-2309.

SCHOOL FOR MATHEMATICS,
SCIENCES AND THE ARTS,

§§6-42-301 to 6-42-310.

Access to school district campus for
recruitment, §6-42-310.

Administrator, §6-42-305.

Board of visitors.

- Established, §6-42-303.
- Meetings, §6-42-303.

Charter school option, §6-42-309.

Division of elementary and
secondary education.

- Governance of school, §6-42-306.

Earthquake safety drills, §6-10-121.

Established, §6-42-301.

Fund, §6-42-307.

Funding, §6-42-302.

Governance of school, §6-42-306.

Local education agency, status as,
 §6-42-308.

Location, §6-42-302.

Purpose, §6-42-302.

Staff, §6-42-305.

Tornado safety drills, §6-10-121.

Tuition, §6-42-304.

SCHOOL PERFORMANCE REPORT
ACT, §§6-15-1401, 6-15-1402.

SCHOOL PERSONNEL.

Absence due to injury from assault,
 §6-17-1308.

Attorneys at law.

- Grievance.
- Right to representation of choice,
§6-17-210.

SCHOOL PERSONNEL —Cont'd**Bullying of school employees.**

Professional development for school personnel in bullying prevention, §6-17-711.

Prohibition, §6-18-514.

Child maltreatment mandatory reporters, §6-61-133.**Classified school employee minimum salary act, §§6-17-2201 to 6-17-2206.**

Citation of act, §6-17-2201.

Defined terms, §6-17-2202.

Determination of work hours.

Paid breaks for certain classified employees, §6-17-2205.

Rulemaking authority, §6-17-2204.

Highly qualified paraprofessional bonuses, §6-17-2206.

Minimum salary, §6-17-2203.

Short title, §6-17-2201.

Committee on personnel policies, §§6-17-2303, 6-17-2305.**Contracts of employment beginning prior to first day of student attendance, §6-10-106.****Criminal misconduct.**

Investigating allegations of, §6-17-407.

Disqualification for license or employment, §6-17-301.**Drug testing.**

Pre-employment and random drug screening, §6-17-121.

Ethics.

Complaints against licensed administrators or teachers, §6-17-428.

Generally, §§6-24-101 to 6-24-119.

Fair hearing law.

Citation of subchapter, §6-17-1701.

Definitions, §6-17-1702.

Hearings generally, §§6-17-1704, 6-17-1705.

Immediate suspension of employee. Hearing, §6-17-1704.

Notice requirement, §6-17-1704.

Nonrenewal of full-time nonprobationary employee's contract.

Hearing, §6-17-1705.

Notice requirement, §6-17-1703.

Termination of employee.

Hearing, §6-17-1704.

Notice requirements, §6-17-1703.

Title of subchapter, §6-17-1701.

Grievance.

Opportunity to be heard, §6-17-210.

SCHOOL PERSONNEL —Cont'd**Higher education expenditure restrictions, §§6-63-301 to 6-63-316.****Incorporation of personnel policies into teachers' contracts, §6-17-204.****Labor organization membership, §6-17-120.****Leave of absence.**

Injury to assault, §6-17-1308.

Military, civil defense or public health purposes, §6-17-306.

Licenses.

Revocation of license of superintendents and supervisors, §6-17-406.

Superintendent license and mentoring program, §6-17-427.

Military leave, §6-17-306.**Personal leave.**

Use when administrator or employee away from school premises, §6-17-211.

Personnel policies.

Accreditation of district.

Written policies required for, §6-17-207.

Committee.

Composition, §6-17-203.

Duties, §6-17-205.

Election of members, §6-17-203.

Organization, §6-17-205.

Copies.

Furnished to teachers and administrators, §6-17-206.

Incorporation into teachers' contracts, §6-17-204.

Personal leave.

Use when administrator or employee away from school premises, §6-17-211.

Right to join professional organization, §6-17-202.

Written policies required, §6-17-201.

Personnel policy law for classified employees, §§6-17-2301 to 6-17-2306.

Applicability of provisions, §6-17-2302.

Changes to policies, considered part of personnel contract, §6-17-2304.

Classifications of classified personnel, §6-17-2301.

Committee on personnel policies, §§6-17-2303, 6-17-2305.

Definitions, §6-17-2302.

Election of committee members, §6-17-2303.

SCHOOL PERSONNEL —Cont'd
Personnel policy law for classified employees —Cont'd

- Establishment, §6-17-2301.
- Inapplicability of provisions, §6-17-2302.
- Incorporation into employee contracts, §6-17-2304.
- Written personnel policies.
 - Required of school districts, §6-17-2301.

Principals.

- Bullying.
 - Duties of principal, §6-18-514.
 - Professional development for school personnel in bullying prevention, §6-17-711.
- Duties and responsibilities.
 - Generally, §6-17-302.
- Employment, §§6-17-301, 6-17-302.
- Master principal program.
 - Definitions, §6-17-1601.
 - Phases of program, §6-17-1602.
 - Purpose of program, §6-17-1602.
 - Rules, §§6-17-1603, 6-17-1604.
 - Salary rules, §6-17-1604.
- Student crimes, reporting, §6-17-113.

Professional relationship with students inside and outside classroom.

- Code of ethics standard, §6-17-428.
 - When filing ethics complaint required, §6-17-428.

Restraint of students.

- Generally, §§6-18-2401 to 6-18-2409.
- Training of school personnel, §6-18-2408.
 - Crisis intervention training program, §6-18-2409.

Salaries.

- Classified school employee minimum salary act, §§6-17-2201 to 6-17-2206.
- Educational excellence trust fund.
 - Classroom teacher salary requirement, §6-5-307.
- Increase for district employees.
 - Review and approval by written resolution of board of directors, §6-13-635.
- Nonrecurring salary payments, §6-20-412.

School worker defense program,
 §6-17-1113, 6-17-1118.

Sick leave.

- Accumulation, §6-17-1305.
- Administering sick leave.
 - Policies and rules, §6-17-1303.

SCHOOL PERSONNEL —Cont'd
Sick leave —Cont'd

- Amount of leave, §6-17-1304.
- Credits.
 - Unused leave, §6-17-1307.
- Definitions, §6-17-1302.
- Immediate family.
 - Defined, §6-17-1302.
- More liberal sick leave policy authorized, §6-17-1306.
- Personal leave.
 - Use when administrator or employee away from school premises, §6-17-211.
- Policy, §6-17-1306.
- Records.
 - Required, §6-17-1305.
- Rules for administering sick leave, §6-17-1303.
- Short title, §6-17-1301.
- Title, §6-17-1301.
- Unused leave, §6-17-1307.
- Use of sick leave, §6-17-1304.

Superintendent license and mentoring program, §6-17-427.

Teacher excellence and support system.

- Administrator leadership support and evaluations system, §6-17-2809.

Training.

- Bullying, §§6-17-711, 6-18-514.
- Health and safety issues relating to student physical activity, §6-18-708.

Workers' compensation.

- Awards.
 - Notification of award, §6-17-1405.
- Coverage, §6-17-1401.
- Exclusive jurisdiction vested in commission, §6-17-1402.
- Federal funds.
 - Transfer of available funds, §6-17-1405.
- Forms, §6-17-1404.
- Method of financing coverage, §6-17-1403.
- Reports.
 - Filing by school district officials, §6-17-1404.
- Rulemaking power vested in commission, §6-17-1402.

SCHOOLS AND EDUCATION.

ABC program, §§6-45-101 to 6-45-111.

- Allocation of funding, §6-45-106.
- Application process for funding, §6-45-106.
- Assessments.
 - Child care and early childhood education division, §6-45-111.

SCHOOLS AND EDUCATION

—Cont'd

ABC program —Cont'd

Assessments —Cont'd

Division of elementary and
secondary education, §6-45-110.

Certification, §6-45-109.

Assessment by child care and early
childhood education division,
§6-45-111.

Citation of chapter, §6-45-101.

Construction of chapter, §6-45-104.

Criteria for program.

Determining need for program,
§6-45-108.

Publication, §6-45-107.

Definitions, §6-45-103.

Establishment, §6-45-105.

Funding availability.

Publication, §6-45-107.

Intent of general assembly, §6-45-102.

Legislative intent, §6-45-102.

Need for program.

Criteria for determining, §6-45-108.

Standards, §6-45-105.

Title of chapter, §6-45-101.

Abortion.Student protection act, §§6-18-2201 to
6-18-2204.

Definitions, §6-18-2202.

Enforcement of provisions,
§6-18-2204.

Title of provisions, §6-18-2201.

Transactions prohibited by schools,
§6-18-2203.**Absences.**

Effect of excessive absences, §6-18-209.

Academic facilities funding.Public school academic facilities
funding act of 2007, §§6-20-2601
to 6-20-2623.**Academic facilities master plan,**

§§6-21-805 to 6-21-807.

Academic facilities program act,

§§6-21-801 to 6-21-817.

Academic partnership program.Cash payments for new construction,
§6-20-2507.**Access to public school information**on school-level improvement
plans, §6-15-2202.**Accountability.**Educational support and
accountability act, §§6-15-2901 to
6-15-2918.**Accounts and accounting.**Athletic program funds tracking,
§§6-20-2001 to 6-20-2004.**SCHOOLS AND EDUCATION**

—Cont'd

Accounts and accounting —Cont'dEducational financial accounting and
reporting act of 2004, §§6-20-2201
to 6-20-2210.Fiscal assessment and accountability
program, §§6-20-1901 to
6-20-1914.Net athletic event gate receipts,
§6-20-417.Publicly funded educational
institutions.Reports by independent accountant,
§6-1-101.Scholastic activity funds tracking,
§§6-20-2101 to 6-20-2104.

School lunch program.

Rules for keeping of accounts,
§6-20-704.**Accreditation.**Quality education act, §§6-15-201 to
6-15-216.**ACT assessment program,**

§§6-18-1601 to 6-18-1608.

Creation of voluntary universal ACT
assessment program, §6-18-1603.

Definitions, §6-18-1602.

Implementation, §6-18-1606.

Purpose, §6-18-1604.

Reports, §6-18-1608.

Rulemaking, §6-18-1607.

Smart Core, §6-18-1605.

Title of act, §6-18-1601.

**Adequate and equitable education
system.**

Duty to provide, §6-10-120.

Administrators.

Ethics.

Restrictions on employment,
§6-24-111.

Recruitment plan, §6-17-1901.

Equity assistance center,
§6-17-1902.Minority teacher and administrator
preparation and recruitment
strategic plan.Department of education,
§6-17-1903.**Adrenal insufficiency or crisis,
administration of medication,**
§6-18-718.**Adults.**Adult education charter schools,
§§6-23-1001 to 6-23-1008.Arkansas workforce challenge
scholarship program, §§6-85-301
to 6-85-307.

SCHOOLS AND EDUCATION

—Cont'd

Adults —Cont'd

- Expenditures for adult education.
Authorized, §6-16-309.
- High school equivalency diploma,
testing for adults, §6-16-118.
- Maximum age of person admitted to
public school, §6-16-308.

Advanced communications and information technology.

- Distance learning development project,
§§6-47-401 to 6-47-406.
- Definitions, §6-47-403.
- Establishment, §6-47-404.
- Grants, §§6-47-501 to 6-47-504.
Collaboration by school districts,
§6-47-503.
- Effect on teachers, §6-47-504.
- Purpose of provisions, §6-47-501.
- Standards for use, §6-47-502.
- Rules, §6-47-405.
- Short title, §6-47-401.

Grants.

- Distance learning demonstration
project.
- Funding of project, §§6-47-501 to
6-47-504.

Advanced placement and international baccalaureate diploma incentive program, §§6-16-801 to 6-16-806.

- Advanced placement tests.
- Subsidized fee, §6-16-804.
- Citation of subchapter, §6-16-801.
- Courses offered under international
baccalaureate diploma program,
§6-16-806.
- Creation, §6-16-804.
- Definitions, §6-16-803.
- Funds, §6-16-805.
- Grants.
Equipment and instructional
materials, §6-16-804.
- Funding for program, §6-16-805.
- Intent of act, §6-16-802.
- Purpose, §6-16-802.
- Rules, §6-16-804.
- Subsidized fee for advanced placement
tests, §6-16-804.
- Subsidized teacher training, §6-16-804.
- Teachers.
Subsidized training, §6-16-804.
- Title of subchapter, §6-16-801.

SCHOOLS AND EDUCATION

—Cont'd

Advanced placement courses,

- §§6-16-1201 to 6-16-1206.
- Quality education act.
AP course considered as core
curriculum course taught,
§6-15-214.

Advanced placement training and incentive program, §§6-5-1201 to 6-5-1204.

- Advanced placement content directors,
§6-5-1203.
- Components and goals of program,
§6-5-1203.
- Established, §6-5-1201.
- Grant funding for organizations
implementing measures to achieve
goals of program, §6-5-1202.
- Publication of list of program fees,
§6-5-1204.
- Participation and service fee,
§6-5-1204.
- Purpose, §6-5-1202.

Advisory committee on public school academic facilities.

- Created to assist division, members,
duties, §6-21-113.

African-American history.

- Program implementation, §6-16-121.

After-school enrichment program.

- Positive youth development grant
program, §§6-5-901 to 6-5-906.

Age.

- Maximum age of persons admitted to
public school, §6-16-308.
- Minimum age for enrollment in
prekindergarten, §6-18-230.
- Minimum age for enrollment in public
school or kindergarten, §6-18-207.
- Students permitted to attend schools,
§6-18-202.

Alcoholic beverages.

- Sales to educational institutions.
Prohibited, §6-2-113.

Alternative learning environments,

- §§6-48-101 to 6-48-104.
- Assessment of students, §6-48-103.
- Definitions, §6-48-101.
- Districts required to provide,
§6-48-102.
- Division of elementary and secondary
education.
- Duties as to, §6-48-104.

SCHOOLS AND EDUCATION

—Cont'd

Alternative learning environments

—Cont'd

Intervention services.

Defined, §6-48-101.

Receipt by students of intervention services, §6-48-103.

Reporting by districts, §6-48-102.

Reporting by division of elementary and secondary education, §6-48-104.

Rulemaking to implement provisions, §6-48-104.

Transporting students attending regional community alternative learning environment centers.

Funding for school district transporting, §6-11-210.

Alternative to existing instructional and administrative practices.

School of innovation, §§6-15-2801 to 6-15-2804.

American College Test assessment.

Universal ACT assessment program, §§6-18-1601 to 6-18-1608.

American heritage.

Content-based censorship prohibited, §6-16-122.

Posting of historical documents in public schools, §6-16-122.

American sign language.

Taught as modern or foreign language, §6-16-142.

Annexation and consolidation of school districts.

Fiscal assessment and accountability.

Actions by state board, §6-20-1910.

Public education reorganization act, §§6-13-1601 to 6-13-1613.

Quality education act.

Generally, §§6-15-201 to 6-15-216.

Noncomplying districts, §6-15-207.

School districts, §§6-13-1401 to 6-13-1417.

Appeals.

Annexation and consolidation.

School districts.

Appeal of adverse decision, §6-13-1410.

Children with disabilities.

Hearings on child's status, §6-41-216.

Education service cooperatives.

Fiscal distress, §6-13-1031.

Elections.

School elections, §6-14-115.

SCHOOLS AND EDUCATION

—Cont'd

Appeals —Cont'd

School districts.

Quality education act.

Failure to meet standards, §6-15-202.

Suspension or expulsion of students, §6-18-507.

Appropriations.

Parents as teachers program.

Local matching funds, §6-10-109.

Arkansas Better Chance Program,

§§6-45-101 to 6-45-111.

Arkansas educational support and accountability act, §§6-15-2901 to 6-15-2918.**Arkansas geographical critical needs minority teacher scholarship program act of 2001, §§6-82-1501 to 6-82-1506.****Arkansas opportunity public school choice act, §6-18-227.****Arkansas public academic facility manual, §6-21-809.****Arkansas school for mathematics, sciences and the arts, §§6-42-301 to 6-42-310.****Arkansas smart core incentive funding program, §6-15-215.****Arkansas traveling teacher program, §6-13-808.****Arkansas tutoring corps, §§6-15-3101 to 6-15-3104.****ARSafeSchools, school safety and crisis line, §§6-18-111, 6-18-112.****Arts-enriched curriculum program, §6-16-144.****Assessment coordination division.**

Information sharing, §6-1-105.

State board of education.

Information sharing, §6-1-105.

Asthma inhaler or auto-injectable epinephrine.

Use by or administration to school students, §6-18-707.

Athletic activities.

Concussions.

Youth athletic activities.

Development of concussion protocols, §6-18-710.

Fairness in women's sports act.

Sports teams to be based on biological sex, §6-1-107.

Home schooled students participating in, §6-15-509.

Private schools, §6-15-510.

SCHOOLS AND EDUCATION

—Cont'd

Athletic activities —Cont'd

Sudden cardiac arrest.

School procedures and staff training
as to athletic activities,
§§6-18-708, 6-18-713.

Athletic event gate receipts.

Use of and accounting for, §6-20-417.

Athletic program funds tracking,

§§6-20-2001 to 6-20-2004.

Budget, submission, §6-20-2003.

Definitions, §6-20-2002.

Purpose of provisions, §6-20-2001.

Report, §6-20-2003.

Rules, §6-20-2004.

Attendance, §§6-18-201 to 6-18-233.**Attorneys at law.**

School districts.

Legal counsel, §6-13-623.

Audits.

Educational institutions, §6-1-101.

Education service cooperatives,
§6-13-1020.

Public education reorganization act,
§6-13-1608.

Publicly funded educational
institutions, §6-1-101.

School districts, §§6-20-1801 to
6-20-1806.

Failure to file, §6-20-1802.

Filing of reports, §6-20-1801.

Ineligible accountants, §6-20-1804.

Nonaudit services prohibited.

Account or account's firm also
auditor of district, educational
cooperative or charter school,
§6-20-1806.

Questionable reports, §6-20-1803.

Teachers salary law, §6-17-913.

Training of bookkeepers, §6-20-1805.

Training requirements for
bookkeepers, §6-20-1805.

Treasurers, §6-13-701.

School safety audits, §6-15-1303.

Automated external defibrillators,

§6-10-122.

Training programs, §6-10-123.

Awards.

Ethics.

Effect, §6-24-113.

Net athletic event gate receipts.

Use to purchase awards, §6-20-417.

Banks.

Deposit of school funds, §6-20-222.

SCHOOLS AND EDUCATION

—Cont'd

Beepers.

School discipline policy and
exemptions concerning possession
and use by students of personal
electronic devices.

School district may establish,
§6-18-515.

Behavioral issues.

Restraint of students, §§6-18-2401 to
6-18-2409.

**Best financial management practices
for school districts,** §6-15-2301.

General business manager defined,
§6-15-2302.

Better chance program.

ABC program, §§6-45-101 to 6-45-111.

Bible course.

Academic study of bible course,
§6-16-145.

Bids and bidding.

Insurance.

Public school employees.

Life and disability insurance,
§6-17-1109.

School districts.

Purchases of commodities,
§6-21-304.

Exemptions from bidding
requirements, §6-21-305.

Bilingual education.

Basic language of instruction,
§6-16-104.

Birth certificates.

Pupils.

Presentation of certificate required,
§6-18-208.

Bleeding control training.

High school health courses, §6-10-133.

Blind and visually impaired.

School for the Blind, §§6-43-201 to
6-43-223.

Bond issues.

Buildings.

Vocational education and
rehabilitation, §6-51-216.

Facilities funding.

Act of 2007, §§6-20-2601 to
6-20-2623.

Retiring outstanding bonded
indebtedness, state financial
assistance, §6-20-2503.

Interest.

District school bonds, §6-20-1206.

SCHOOLS AND EDUCATION

—Cont'd

Bond issues —Cont'd

Refunding bonds.

District school bonds, §§6-20-1216,
6-20-1218.Retiring outstanding bonded
indebtedness.

Facilities funding.

State assistance, §6-20-2503.

School district bonds, §§6-20-1201 to
6-20-1229.**Bonds, surety.**Commissioner of elementary and
secondary education, §6-11-102.

School districts.

Treasurers, §6-13-701.

Breakfast program.

School districts, §6-18-705.

Breasts of female students.

Clothes exposing to view.

Discipline policy contents, §6-18-503.

Bribery.

Ethics.

Non-employees, §6-24-110.

Textbooks.

Illegal acts involving school officials,
§6-21-410.**Budgets.**

Assessment coordination division.

Information sharing, §6-1-105.

Athletic program funds tracking,
§§6-20-2001 to 6-20-2004.Best financial management practices
for school districts, §6-15-2301.General business manager defined,
§6-15-2302.Educational financial accounting and
reporting act of 2004, §§6-20-2201
to 6-20-2210.Fiscal assessment and accountability
program, §§6-20-1901 to
6-20-1914.Scholastic activity funds tracking,
§§6-20-2101 to 6-20-2104.

School districts.

Directors.

Powers and duties as to budgets,
§6-13-620.

Publication, §6-13-622.

**Building better futures programs for
students with intellectual
disabilities.**High school program, §§6-41-801 to
6-41-805.

Definitions, §6-41-802.

Eligible students, §6-41-803.

SCHOOLS AND EDUCATION

—Cont'd

**Building better futures programs for
students with intellectual
disabilities —Cont'd**

High school program —Cont'd

Establishment of program,
§6-41-801.Information to be made available,
§6-41-805.Institutional requirements,
§§6-41-804, 6-41-805.

Purpose of program, §6-41-801.

Requirements of program, §6-41-804.

Selective admission, §§6-41-803,
6-41-804.

Staff, §6-41-805.

Transportation of students,
§6-41-805.Institutions of higher education,
§§6-41-701 to 6-41-705.

Definitions, §6-41-702.

Eligible students, §6-41-703.

Establishment of program,
§6-41-701.Financial support of program,
§6-41-705.Information on program to be made
available, §6-41-705.

Purpose of program, §6-41-701.

Requirements of institution,
§6-41-705.Requirements of program,
§§6-41-704, 6-41-705.Selective admission, §§6-41-703,
6-41-704.**Bullying.**

Anonymous reporting by students.

ARSafeSchools, school safety and
crisis line, §§6-18-111, 6-18-112.

Policies to prevent, §6-18-514.

Professional development for
personnel in bullying prevention,
§6-17-711.**Buses.**

School buses, §§6-19-101 to 6-19-119.

Business and professional integrity.

Courses of study, §6-16-111.

Buttocks.

Clothes exposing to view.

Discipline policy contents, §6-18-503.

Calendars.

Academic calendar, §6-10-106.

Alternate school calendar, §6-10-106.

**Campus layout and opportunity for
physical activities.**Healthy active Arkansas schools act,
§6-18-719.

SCHOOLS AND EDUCATION

—Cont'd

Cardiopulmonary resuscitation.

Instruction, §6-16-143.

Training programs, §6-10-123.

Celebrate Freedom Week, §6-16-101.**Cell phones.**

School discipline policy and exemptions concerning possession and use by students of personal electronic devices.

School district may establish, §6-18-515.

Center for school safety of criminal justice institute.

Advisory board, §6-15-1305.

Charter schools, §§6-23-101 to 6-23-1008.**Child abuse and neglect.**

Anonymous reporting by students.

ARSafeSchools, school safety and crisis line, §§6-18-111, 6-18-112.

Central registry checks.

Employees of more than one district, §6-17-416.

Existing nonlicensed employees, §6-17-415.

Criminal law and procedure.

Parental notification of law enforcement actions.

Exceptions when investigating child abuse, §6-18-513.

Mandatory reporters.

Training requirements, §6-61-133.

Posting of child abuse hotline number in schools, §6-18-712.

Updating of school district policies in accordance with law, §6-10-124.

Choice of public school, §§6-18-1901 to 6-18-1908.

Acceptance of credits.

Duty of nonresident district, §6-18-1903.

Appeal of rejection of application, §6-18-1907.

Applications for transfer, §6-18-1905.

Appeal of rejection of application, §6-18-1907.

Military, children of active duty members, §§6-18-227, 6-18-1905.

Notice of acceptance or rejection, §6-18-1905.

Standards for acceptance or rejection, §6-18-1903.

Award of diploma.

Duty of nonresident district, §6-18-1903.

SCHOOLS AND EDUCATION

—Cont'd

Choice of public school —Cont'd

Conflict with desegregation order or plan, §6-18-1906.

Continuity of education for public school choice students, §6-18-108.

Counted as part of average daily membership of nonresident district, §6-18-1904.

Definitions, §6-18-1902.

Discrimination by school district prohibited, §6-18-1903.

Effective date, §6-18-1908.

Enrollment in private or home school, §6-18-1904.

Establishment of school choice program, §6-18-1903.

General provisions, §6-18-1904.

Legislative findings, §6-18-1901.

Limitations, §6-18-1906.

Military, children of active duty members, §§6-18-227, 6-18-1905.

One school choice transfer accepted, §6-18-1904.

Priority for transfer in first year possible, §6-18-1906.

Public announcements concerning program.

Superintendents to make, §6-18-1903.

Purpose of school choice program, §6-18-1903.

Return by student to district, §6-18-1904.

Rules, §6-18-1907.

School districts to participate in program, §6-18-1903.

Sibling defined for purposes of school choice transfer, §6-1-106.

Siblings in sibling group, exercise of school choice, §6-18-1906.

Siblings of transferred student, §6-18-1904.

Title of act, §6-18-1901.

Transfer from public school or school district classified as in academic distress.

Arkansas opportunity public school choice act, §6-18-227.

Transfer under act of 1989.

Treated as transfer under act, §6-18-1904.

Transportation, §6-18-1904.

Cigarettes, tobacco and nicotine products.

Prohibited use, §6-21-609.

SCHOOLS AND EDUCATION

—Cont'd

Civics courses.

Posting or reading of historical documents in public schools, §6-16-122.

United States citizenship civics test, required for high school diploma, §6-16-149.

Civil rights protection.

Equity assistance center, §6-10-111.

Civil War reenactments.

Definitions, §6-5-501.

Weapons on school property, §6-5-502.

Closing the achievement gap program, §6-15-2701.**Clothes.**

Discipline policy contents, §6-18-503.

Dress codes.

Uniforms, §6-18-102.

College and career readiness assessments.

Educational support and accountability act, §§6-15-2901 to 6-15-2918.

Postsecondary preparatory programs, §§6-16-601 to 6-16-606.

Public school student progression, §6-15-2012.

College and career readiness standards for career and technical education programs, §§6-5-1001 to 6-5-1004.

Council on postsecondary education and career readiness, §§6-5-1101 to 6-5-1104.

College cost and job opportunities.

Information to be made available, §§6-60-1301 to 6-60-1305.

Collection and compilation of information by division of higher education, §6-60-1302.

Cooperation of other entities, §6-60-1302.

Definition of college, §6-60-1301.

Effective date of provisions, §6-60-1305.

Middle and high school students, information from department of education, §6-60-1304.

Ready for Life initiative database information to be included, §6-60-1303.

Commissioner of elementary and secondary education, §6-11-102.

Assumption of authority of school district.

Responsibilities, §6-13-112.

SCHOOLS AND EDUCATION

—Cont'd

Commission for Arkansas public school academic facilities and transportation, §§6-11-116, 6-21-114.**Commission on closing the achievement gap in Arkansas, §§6-15-1601, 6-15-1603.**

Composition, §6-15-1601.

Establishment, §6-15-1601.

Local task forces, establishment, §6-15-1603.

Powers and duties, §6-15-1601.

Community purposes.

Permitting use of facilities for, §6-21-101.

Community schools, §§6-15-3001 to 6-15-3003.

Charter school designation as community school, §6-23-109.

Definitions, §6-15-3002.

Division of elementary and secondary education, services, §6-15-3003.

Title of provisions, §6-15-3001.

Community service.

Academic credit, §6-16-120.

Community truancy board, §§6-18-225, 6-18-226.**Compacts.**

School districts, §§6-13-801 to 6-13-808.

Southern regional education compact, §6-4-101 to 6-4-107.

Comprehensive plan for consistency and rigor in course work, §§6-15-1502 to 6-15-1506.

Academic content standards and curriculum frameworks process.

Development of plan for revision, §6-15-1502.

District implementation, §6-15-1505.

Reporting failure of compliance, §6-15-1505.

Review by division of elementary and secondary education, §6-15-1504.

Rulemaking authority, §6-15-1505.

Compulsory attendance, §§6-18-201 to 6-18-233.**Computers.**

Arkansas public schools computer network (APSCN).

Applications required, §6-11-128.

Data collection, §6-11-128.

Defined, §6-11-128.

Security, §6-11-128.

SCHOOLS AND EDUCATION

—Cont'd

Computers —Cont'd

Arkansas public schools computer network (APSCN) —Cont'd

Statewide computer network authorized, §6-11-124.

Courses of study.

Computer science, §6-16-147.

Digital learning act, §§6-16-1401 to 6-16-1406.

Digital learning courses, §6-16-1406.

Digital learning defined, §6-16-1403.

Digital learning environment, §6-16-1404.

Digital learning providers.

List of approved providers, §6-16-1403.

Requirements to become approved provider, §6-16-1405.

Services provided by in-state or out-of-state providers, §6-16-1403.

Expelled students, digital learning as alternative educational courses, §6-16-1406.

Legislative intent, §6-16-1402.

Title of act, §6-16-1401.

High school graduation requirement, computer science course credit, §6-16-152.

Internet access, §6-21-107.

Internet filters required, §6-21-111.

Legislative intent, §6-11-125.

Personal electronic devices.

School discipline policy and exemptions concerning possession and use by students.

School district may establish, §6-18-515.

Public education surplus computer loan program, §6-17-118.

School district websites.

Data accessible, §6-11-129.

Notice of meetings of board of directors, §6-13-619.

Statewide computer network, §6-11-124.

Concussions.

Physical activity in schools.

Procedures and staff training as to health and safety conditions, §6-18-708.

Youth athletic activities.

Development of concussion protocols, §6-18-710.

SCHOOLS AND EDUCATION

—Cont'd

Confidentiality of information.

Education funds for children with disabilities or foster children.

Confidentiality of records and files, §6-20-510.

Emergency or security records or information, §6-15-1304.

Ethics.

Disclosure of confidential information, §6-24-104.

Exceptional children.

Tests and evaluations for children with disabilities, results, §6-41-218.

Conflict of laws.

Ethics, §6-24-103.

Conflicts of interest.

Commissioner of elementary and secondary education, §6-11-102.

Consolidated school districts,
§6-13-111.**Consolidation.**

School districts.

Interim personnel policy committee, §6-17-209.

Construction.

Academic facilities program, §§6-21-801 to 6-21-817.

New construction of academic facilities.

Academic facilities catastrophic program.

Damage due to act of God, §6-20-2508.

Academic partnership program.

Cash payments for new construction, §6-20-2507.

Project cost guidelines.

Formulas established, §6-20-2509.

Public academic facility manual.

Academic facilities program, §6-21-809.

Construction and interpretation.

ABC program, §6-45-104.

Equal access, §6-21-203.

Revolving loan fund.

Bond issues, §6-20-1002.

Students living in one district attending school in another school district, §6-18-204.

Continuity of education for public school choice students,
§6-18-108.**Contracts.**

Children in institutions.

Contracts for educational services, §6-11-120.

SCHOOLS AND EDUCATION

—Cont'd

Contracts —Cont'd

- Energy savings contracts.
- School districts, §6-20-405.
- Exceptional children.
- Services for exceptional children, §6-41-313.
- Local and county boards, §6-41-313.
- Military training equipment.
- School districts.
- Directors.
- Power to contract for, §6-21-103.
- Personnel policy law for classified employees.
- Distribution of district's personnel policies, §6-17-2306.
- Incorporation into employee contracts, §6-17-2304.
- Publication of district's personnel policies, §6-17-2306.
- Public-public partnerships.
- School districts.
- Project delivery method, §6-20-414.
- School districts.
- Energy savings contracts, §6-20-405.
- Joint purchase of surplus government property, §6-13-110.
- Military training equipment.
- Directors.
- Power to contract for, §6-21-103.
- Public-public partnerships.
- Project delivery method, §6-20-414.
- Southern regional education compact.
- Out-of-state education, §6-4-105.
- State board of education.
- Special contracts, §6-11-115.
- Superintendents.
- Employment of superintendents by contract, §6-17-301.
- Traveling teacher program, §6-13-808.

Conviction of minor.

- Notice of disposition of minor adjudicated delinquent or convicted of criminal offense, §6-10-134.

Cooperatives.

- Agency.
- Cooperative to act as agency for districts, §6-13-904.
- Board of directors, §6-13-905.
- Citation of subchapter.
- Short title, §6-13-901.
- Definitions, §6-13-902.
- Directors, §6-13-905.

SCHOOLS AND EDUCATION

—Cont'd

Cooperatives —Cont'd

- Education service cooperatives, §§6-13-1001 to 6-13-1031.
- Formation of cooperatives.
- Districts authorized, §6-13-903.
- Powers, §6-13-903.
- Public school district.
- Defined, §6-13-902.
- Records, §6-13-906.
- Reports, §6-13-906.
- Title of subchapter, §6-13-901.

Copies.

- Southern regional education compact.
- Engrossed copy furnished to states, §6-4-103.

Core curriculum, §§6-15-1101, 6-18-104.**Corporal punishment.**

- Employees' immunity from liability, §6-17-112.

Corporations.

- Educational institutions, §§6-2-101 to 6-2-113.

Correspondence schools.

- Private resident and correspondence schools, §§6-51-601 to 6-51-624.

Council on postsecondary education and career readiness, §§6-5-1101 to 6-5-1104.**Counselors.**

- Higher education awareness program.
- Information provided to students, §6-5-403.
- School counseling improvement act of 2019, §§6-18-2001 to 6-18-2005.
- Youth mental health first aid training for counselors, §6-18-2004.

County boards of education.

- Abolition of office.
- Revocation of license, §6-17-406.
- Contests of school elections.
- Divesting jurisdiction, §6-14-116.
- Ethics, §6-24-105.
- Vacancies, filling, §6-24-117.
- Nepotism, §6-24-105.

County general school fund.

- Apportionment.
- Basis, §6-20-216.
- Funds of doubtful application, §6-20-217.
- Composition of fund, §6-20-215.
- County treasurer.
- Commission on school funds, §6-20-221.
- Federal funds.
- Apportionment to counties within national forests, §6-20-218.

SCHOOLS AND EDUCATION

—Cont'd

County treasurers.

County general school fund, §6-20-221.

Courses of study, §6-16-103.

Additional subject, §6-16-103.

Advanced placement and international baccalaureate diploma incentive program.

Courses offered under international baccalaureate diploma program, §6-16-806.

Advanced placement courses, §§6-16-1201 to 6-16-1206.

Definitions, §6-16-1202.

Exemption from provisions, §6-16-1206.

Implementation, §6-16-1204.

Pre-advanced placement courses, §6-16-1204.

Purpose of provisions, §6-16-1201.

Quality education act.

AP course considered as core curriculum course taught, §6-15-214.

Teacher training, §6-16-1203.

African-American history, §6-16-121.

American sign language.

Taught as modern or foreign language, §6-16-142.

Arkansas history, §6-16-124.

Course guidelines, §6-16-124.

Arts-enriched curriculum program, §6-16-144.

Basic language of instruction, §6-16-104.

Bible.

Academic study of bible course, §6-16-145.

Bleeding control training, §6-10-133.

Celebrate Freedom Week, §6-16-101.

Comprehensive plan for consistency and rigor in course work, §§6-15-1502 to 6-15-1506.

Computer science, §6-16-147.

CPR instruction, §6-16-143.

Credit for community service, §6-16-120.

Cursive handwriting, §6-16-146.

Dating violence awareness, §6-16-1004.

Digital learning act.

Digital learning courses, §6-16-1406.

Distance learning, §6-16-136.

Early grades foreign language pilot program, §6-16-128.

Endorsed concurrent enrollment courses, §§6-16-1201 to 6-16-1206.

Definitions, §6-16-1202.

SCHOOLS AND EDUCATION

—Cont'd

Courses of study —Cont'd

Endorsed concurrent enrollment courses —Cont'd

Eligibility to enroll, §6-16-1204.

Exemption from provisions, §6-16-1206.

Purpose of provisions, §6-16-1201.

Requirements, §6-16-1204.

Teacher qualifications, §6-16-1203.

Evaluation of instructional programs, §6-16-901.

First aid.

Bleeding control training, §6-10-133.

Fish and wildlife conservation instruction, §6-16-1101.

Food-handling safety, §6-16-126.

Instruction materials clearinghouse, §6-16-126.

Foreign languages.

Early grades foreign language pilot program, §6-16-128.

Teacher training program, §6-16-127.

Gun violence prevention week, §6-16-129.

Handwriting.

Cursive writing, §6-16-146.

Health education.

Kids-for-health program, §6-16-1001.

History courses, required contents, §6-16-148.

Holocaust education, §6-16-154.

Junior Reserve Officer Training Corps.

Credit for participation, §6-16-141.

Kindergarten.

Readiness testing, §6-16-203.

Skills and knowledge desired, §6-18-105.

Language of instruction, §6-16-104.

Money management.

Personal and family finance standards, courses including, §6-16-135.

Morals, manners, patriotism and business and professional integrity, §6-16-111.

Music instruction, §6-16-130.

Organ donor awareness education, §6-16-501.

Parent or guardian inspection and challenge of instructional materials, §6-16-155.

Personal and family finance standards, courses including, §6-16-135.

Personal finance and macroeconomics action plan, §6-60-117.

SCHOOLS AND EDUCATION

—Cont'd

Courses of study —Cont'd

Physical education, §6-16-132.

Credit for physical activity courses,
§6-16-137.

Preparing for employment.

Personal and family finance
standards, courses including,
§6-16-135.Racial and ethnic sensitivity program,
§6-17-110.

Sex education.

Parental notice and consent
requirements, §6-16-1006.

Smart Core curriculum, §6-18-1605.

Social studies courses, required
contents, §6-16-148.Subject matter competency as basis for
award of course credit, §6-15-216.

Technology curriculum, §6-16-139.

Understanding paychecks.

Personal and family finance
standards, courses including,
§6-16-135.United States citizenship civics test,
required for high school diploma,
§6-16-149.

Visual arts, §6-16-130.

CPR instruction, §6-16-143.**CPR training**, §6-10-123.**Criminal background checks.**Employees of more than one district,
§6-17-416.Existing nonlicensed employees,
§6-17-415.Fingerprints, taken electronically,
§6-17-417.Initial employment of nonlicensed
personnel, §6-17-414.

Licensed personnel, §6-17-411.

Online system, use of, §6-17-417.

Teachers, §6-17-410.

Existing nonlicensed employees,
§6-17-415.

Fraudulent acts, §6-17-421.

Initial employment of nonlicensed
personnel, §6-17-414.**Criminal law and procedure.**Crimes by students on school property,
§6-17-113.Duty to report and investigate,
§6-17-113.Duty to report student crimes,
§6-17-113.Illegal acts involving school officials,
§6-21-410.**SCHOOLS AND EDUCATION**

—Cont'd

Criminal law and procedure —Cont'dParental notification of law
enforcement actions, §6-18-513.

School discipline act.

Act not to limit or restrict bringing
of criminal charges, §6-18-504.**Cursive handwriting.**

Courses of study, §6-16-146.

**Custodial, maintenance, repair and
renovation manual.**Academic facilities program,
§6-21-808.**Daily planning periods**, §6-17-114.**Dating violence awareness.**

Courses of study, §6-16-1004.

Day of prayer for Arkansas students,
§6-10-135.**Deaf, deaf persons.**School for the Deaf, §§6-43-301 to
6-43-321.**Decision making at local building
levels.**Site-based decision making,
§§6-13-1301 to 6-13-1309.**Definitions.**

ABC program, §6-45-103.

Academic facilities program,
§6-21-803.

ACT assessment program, §6-18-1602.

Advanced placement course, §6-15-901.

Arkansas public school academic
facilities fund act, §§6-20-2502,
6-20-2503.

Bullying, §6-18-514.

Disabilities, children with, §6-41-203.
Individual education plan,
§6-41-217.

Educational cooperatives, §6-13-902.

Education funds for children with
disabilities or foster children,
§6-20-502.

Equal access, §6-21-202.

Exceptional children.

Children with disabilities, §6-41-203.
Individual education plan,
§6-41-217.Fraternity, sorority or secret
organization, §6-18-601.

General business manager.

Best financial management practices
for school districts, §6-15-2302.Governor's scholars program,
§6-82-302.High-tech scholarship program,
§6-82-401.

Isolated school districts, §6-20-601.

SCHOOLS AND EDUCATION

—Cont'd

Definitions —Cont'd

- Isolated schools, §6-20-602.
- Net athletic event gate receipts,
§6-20-417.
- Public school choice, §6-18-1902.
- School day, §6-16-102.
- School districts.
 - Purchases of commodities,
§6-21-301.
- Student crime, reporting, §6-17-113.
- Textbooks, §6-21-402.

Dehydration.

- Physical activity in schools.
 - Procedures and staff training as to
health and safety conditions,
§6-18-708.

Dental students.

- Out-of-state professional dental
programs.
 - Repayment of tuition by state of
Arkansas, §§6-81-1103,
6-81-1104.

Deposits.

- School funds, §6-20-222.

Desegregation.

- Annexation and consolidation of school
districts.
 - Annexation or consolidation may not
hamper, delay or negatively
affect, §6-13-1408.
- Notices by district subject to
desegregation order, §6-13-113.
- Quality education act.
 - Development of rules and standards.
Attainment of unitary status for
districts not released from
court supervision over
desegregation obligations,
§6-15-202.

Destruction of property.

- Penalty, §6-21-604.

Diabetes.

- Monitoring and treatment functions by
students, §6-18-711.

Digital cameras.

- School discipline policy and
exemptions concerning possession
and use by students of personal
electronic devices.
 - School district may establish,
§6-18-515.

Digital learning act.

- Digital learning courses, §6-16-1406.
- Digital learning defined, §6-16-1403.
- Digital learning environment,
§6-16-1404.

SCHOOLS AND EDUCATION

—Cont'd

Digital learning act —Cont'd

- Digital learning providers.
 - List of approved providers,
§6-16-1403.
 - Requirements to become approved
provider, §6-16-1405.
 - Services provided by in-state or
out-of-state providers,
§6-16-1403.
- Expelled students, digital learning as
alternative educational courses,
§6-16-1406.
- Legislative intent, §6-16-1402.
- Title of act, §6-16-1401.
- Digital media players.**
 - School discipline policy and
exemptions concerning possession
and use by students of personal
electronic devices.
 - School district may establish,
§6-18-515.

Disabilities, individuals with.

- Corporal punishment of students with
disabilities, prohibition,
§§6-17-112, 6-17-1113, 6-18-503.
- Dyslexia and related learning
disorders, §§6-41-601 to 6-41-612.
- Education fund for children with
disabilities or foster children,
§§6-20-501 to 6-20-510.
- Identification of children with
disabilities, §6-41-103.
- Succeed scholarship program,
§§6-41-901 to 6-41-908.

Disasters.

- Academic facilities catastrophic
program.
 - State financial assistance,
§6-20-2508.

Discipline.

- Best practices, resources from division,
§6-18-516.
- Corporal punishment.
 - Employees' immunity from liability,
§6-17-112.
- Effective school discipline, §6-18-516.
- Enrollment during expulsion,
§6-18-510.
- Exclusionary disciplinary actions,
§6-18-516.
- Generally, §6-18-501.
- Personal electronic recording devices.
 - School discipline policy.
 - Establishment by school district,
§6-18-515.

SCHOOLS AND EDUCATION

—Cont'd

Discipline —Cont'd

Policy.

Rules for development of school district student discipline policies, §6-18-502.

Written student discipline policy.

School districts to develop and file, §6-18-503.

Removal of student by teacher, §6-18-511.

Report by division of elementary and secondary education, §6-18-516.

Responsibility of teachers, §6-18-501.

Restraint of students, §§6-18-2401 to 6-18-2409.

School discipline act.

Compliance with act, §6-18-504.

Rules, §6-18-504.

Rules for development of school district discipline policies, §6-18-502.

Withholding funds for noncompliance with act, §6-18-504.

Written student discipline policies.

School districts to develop and file, §6-18-503.

Suspension or expulsion of students, §6-18-507.

Digital learning as alternative educational courses for expelled students, §6-16-1406.

Violation of criminal laws of state.

Act not to limit or restrict, §6-18-504.

Discrimination.

Desegregation.

Annexation and consolidation of school districts.

Annexation or consolidation may not hamper, delay or negatively affect, §6-13-1408.

Event or activity held at location that discriminates, §6-10-114.

Diseases.

Communicable diseases.

Procedures and staff training as to health and safety conditions, §6-18-708.

Immunization required for children admitted to school, §6-18-702.

Disposition of public property.

Rulemaking authority, §6-21-110.

Distance learning.

Alternative instruction plan for missed school days, §6-10-127.

SCHOOLS AND EDUCATION

—Cont'd

Distance learning —Cont'd

Demonstration project, §§6-47-201 to 6-47-304.

Development project, §§6-47-401 to 6-47-406.

Military child school transitions act of 2021 for students changing school districts.

Virtual coursework, enrollment in, §6-28-109.

Distribution of excess food to students, §6-18-716.**District school bonds, §§6-20-1201 to 6-20-1229.****Disturbing the peace.**

Persons not students.

Penalty, §6-21-606.

Division of public school academic facilities and transportation, §§6-21-112, 6-21-115.

Advisory committee on public school academic facilities, §6-21-113.

Created to assist division, members, duties, §6-21-113.

Division of public school accountability, §6-15-102.**Domestic violence.**

Anonymous reporting by students.

ARSafeSchools, school safety and crisis line, §§6-18-111, 6-18-112.

Domicile.

Separate domicile for school attendance purposes, §6-18-202.

Donation of lab equipment seized under drug paraphernalia law, §6-21-102.**Donation of real property.**

School districts.

Requisition, right of first refusal, §6-21-108.

Dress codes, §6-18-102.

Discipline policy contents, §6-18-503.

Drinking water.

Water bottle filling stations, §6-21-119.

Driving privileges.

Suspension for unexcused absences, §6-18-222.

Drop-out rate.

Additional truancy officers for school district with high dropout rate.

Funding for, §6-11-209.

School performance report act, §§6-15-1401, 6-15-1402.

Drug abuse.

Reporting student drug abuse.

Immunity from civil liability, §6-17-107.

SCHOOLS AND EDUCATION

—Cont'd

Drugs and controlled substances.

Concealing drugs.

Confiscation without warrant,
§6-21-608.

Definitions, §6-21-608.

Discipline of students, §6-21-608.

Evidence.

Admissibility of evidence obtained,
§6-21-608.

School-owned property.

Defined, §6-21-608.

School premises.

Defined, §6-21-608.

Supervisor.

Defined, §6-21-608.

Reporting student drug abuse.

Immunity from civil liability,
§6-17-107.**Dual-immersion programs.**Basic language of instruction,
§6-16-104.**Dyslexia and related learning****disorders**, §§6-41-601 to 6-41-612.Certified academic language
therapists, network for providing
specialized instructional program,
§6-41-612.

Definitions, §6-41-602.

Educational support and
accountability act.School-level improvement plans,
literacy plan requirement,
§6-15-2914.Enforcement of requirements,
§6-41-611.Independent evaluation procured by
parent or guardian, §6-41-604.

Instructional approaches, §6-41-605.

Intervention measures, §6-41-603.

Legislative findings, §6-41-601.

Level II screening and services,
§6-41-604.Notice to parent or guardian of need
for therapy services, §6-41-604.Reporting on screening by school
district, §6-41-606.Resource guide, committee to develop
and maintain, §6-41-610.Rules to implement provisions,
§6-41-610.School district failure to comply with
provisions, §6-41-611.Scientific reading instruction,
§6-17-429.Screening of children required,
§6-41-603.**SCHOOLS AND EDUCATION**

—Cont'd

Dyslexia and related learning
disorders —Cont'dSpecialists, employment, §6-41-607.
Teachers.Certified academic language
therapists, network for
providing specialized
instructional program,
§6-41-612.Education programs for teachers,
§6-41-609.

Professional awareness, §6-41-608.

Therapeutic services.

Intervention following screening,
§6-41-603.Notice to parent or guardian of need
for services, §6-41-604.

Who may provide, §6-41-605.

Early childhood and adult education
act.

Citation of subchapter.

Short title, §6-16-301.

Consultative services.

Use of available funds, §6-16-305.

Expenditure of moneys.

Limits on, §6-16-304.

Federal aid.

State board of education to
administer federal funds,
§6-16-302.General provisions, §§6-16-301 to
6-16-313.

Gifts, grants and donations.

Acceptance, §6-16-303.

Research and demonstration centers.

Funds for, §6-16-305.

Rules.

Powers of school districts not
limited, §6-16-307.

Title of subchapter.

Short title, §6-16-301.

Early childhood programs.

ABC program, §§6-45-101 to 6-45-111.

Farm to school and early childhood
education program, §§6-18-2101 to
6-18-2103.**Early graduation**, §6-18-224.**Earthquake safety drills**, §6-10-121.**E-cigarettes.**

Prohibited use, §6-21-609.

Educational excellence trust fund,

§§6-5-301 to 6-5-308.

Allocation of funds, §6-5-302.

Classroom teacher salary requirement,
§6-5-307.

Established, §6-5-301.

SCHOOLS AND EDUCATION

—Cont'd

Educational excellence trust fund

—Cont'd

Funding source, §6-5-301.

Legislative intent, §6-5-308.

Teachers' salaries, §6-5-307.

Transfer of funds, §6-5-302.

Educational services for visually impaired, §§6-41-401 to 6-41-407.**Educational support and accountability act, §§6-15-2901 to 6-15-2918.**

Academic standards, §6-15-2906.

Student-focused learning system, §6-15-2911.

Access to school-level improvement plans, §6-15-2202.

Administrative support, §6-15-2918.

College and career readiness, use of data from assessments, §6-15-2911.

Definitions, §6-15-2903.

Determining level of support needed, §6-15-2913.

Development of comprehensive accountability system, §6-15-2904.

Districts under authority of state board, duties, §6-15-2917.

Educator excellence, §6-15-2912.

Establishment of academic standards, §6-15-2906.

Information systems for reporting, analysis and decision-making, §6-15-2918.

Intensive support (level 5) classification of school district, §6-15-2915.

Exiting level 5, §6-15-2917.

State board of education authority over district, §6-15-2916.

Legislative findings, §6-15-2902.

Levels of school district support, §6-15-2913.

Intensive support (level 5) classification of school district, §6-15-2915.

Exiting level 5, §6-15-2917.

State board of education authority over district, §6-15-2916.

Public access to school-level improvement plans, §6-15-2202.

Progress reviews, §6-15-2917.

Public school district support plans, §6-15-2914.

Return of district to local control, §6-15-2917.

SCHOOLS AND EDUCATION

—Cont'd

Educational support and accountability act —Cont'd

School-level improvement plans, §6-15-2914.

State board of education duties, §6-15-2905.

Statewide student assessment system, §6-15-2907.

Analysis of results, §6-15-2908.

English learners, use of scores on statewide assessments for accountability purposes, §6-10-130.

Protection of personally identifiable information, §6-15-2909.

Public access to tests and scores, §6-15-2909.

Scores of English language learners, when counted, §6-15-2908.

Student performance levels, §6-15-2910.

Student-focused learning system, §6-15-2911.

Student success plans, §6-15-2911.

Teacher experience and effectiveness. Educator excellence, §6-15-2912.

Title of act, §6-15-2901.

Education funds for children with disabilities or foster children.

Children living in foster homes.

Application for funds, §6-20-504.

Defined, §6-20-502.

Children with disabilities.

Defined, §6-20-502.

Refusal by sending district to pay, §6-20-509.

Request by receiving district for funds, §6-20-505.

Approval, §6-20-506.

Hearing and ruling by state board, §6-20-508.

Hearing before hearing officer, §6-20-507.

Rejection, §6-20-506.

Confidentiality of records, §6-20-510.

Definitions, §6-20-502.

Federal funds.

Defined, §6-20-502.

Hearings.

Children with disabilities.

Request by receiving district for funds, §§6-20-507, 6-20-508.

Legislative purpose, §6-20-501.

Local operating funds.

Defined, §6-20-502.

Purpose, §6-20-501.

SCHOOLS AND EDUCATION

—Cont'd

Education funds for children with disabilities or foster children

—Cont'd

Receiving districts.

Defined, §6-20-502.

Request for funds, §§6-20-505 to 6-20-508.

Records.

Confidentiality, §6-20-510.

Rules.

Adoption by state board of education, §6-20-503.

Sending districts.

Defined, §6-20-502.

Refusal to pay, §6-20-509.

State funds.

Defined, §6-20-502.

Education ombudsman.

Scientific reading instruction, §6-17-429.

Education renewal zones, §§6-15-2501 to 6-15-2506.**Education service cooperatives.**

Administration, §6-13-1010.

Annual surveys and needs assessments.

Conducting, §6-13-1016.

Appeals.

Fiscal distress, §6-13-1031.

Audits, §6-13-1020.

Board of directors.

Composition, §6-13-1006.

Meetings, §6-13-1006.

Responsibilities, §6-13-1006.

Boundaries.

Adjustments, §6-13-1003.

Alteration, §6-13-1005.

Establishment, §6-13-1003.

Citation of subchapter, §6-13-1001.

Committees authorized, §6-13-1009.

Computers.

Arkansas public schools computer network (APSCN).

Applications required, §6-11-128.

Contents, §6-13-1003.

Contracts.

Local school districts, §6-13-1018.

Designation as local education agencies, §6-13-1026.

Director.

Administration of cooperative, §6-13-1010.

Duties, §6-13-1010.

Dissolution, §6-13-1022.

Distribution of assets upon dissolution, §6-13-1022.

SCHOOLS AND EDUCATION

—Cont'd

Education service cooperatives

—Cont'd

Division of elementary and secondary education.

Assignment of agency personnel, §6-13-1012.

Fiscal distress.

Powers and duties of division, §§6-13-1028, 6-13-1029.

Removal from fiscal distress status.

Certification, §6-13-1030.

Sharing and coordination of activities, §6-13-1014.

Eligibility for state and federal funds, §6-13-1026.

Established, §6-13-1002.

Request for establishment, §6-13-1004.

Evaluations, §6-13-1021.

Executive committee.

Composition, §6-13-1007.

Election, §6-13-1007.

Functions, §6-13-1007.

Meetings, §6-13-1007.

Fiscal distress.

Appeal of identification, §6-13-1031.

Division of elementary and secondary education.

Powers and duties, §§6-13-1028, 6-13-1029.

Removal from fiscal distress status.

Certification, §6-13-1030.

Generally, §6-13-1027.

Plan to be filed, §6-13-1028.

Removal from fiscal distress status, §6-13-1030.

Functions, §6-13-1002.

Funding, §6-13-1019.

Liaison with post-secondary institutions, §6-13-1015.

Local school districts.

Participation, §6-13-1018.

Mathematics/science center, §6-13-1025.

Number, §6-13-1002.

Performance category levels, §6-13-1021.

Personnel.

Agency personnel, §6-13-1012.

Certificate requirements, §6-13-1011.

Employment, §6-13-1011.

Termination, §6-13-1011.

Policies, §6-13-1013.

SCHOOLS AND EDUCATION

—Cont'd

Education service cooperatives

—Cont'd

Post-secondary institutions.

Liaison with, §6-13-1015.

Programs.

Based on needs of area, §6-13-1017.

Records.

Employment practices, §6-13-1020.

Reports, §6-13-1020.

Evaluations, §6-13-1021.

Revolving loan fund.

Loans to cooperatives, §6-20-818.

Rules, §6-13-1013.

Shared educational programs and services, §6-13-1017.

State and federal funds, eligibility, §6-13-1026.

State board of education.

Policies, rules, §6-13-1013.

Teacher center.

Committee, §6-13-1008.

Established, §6-13-1008.

Purpose, §6-13-1008.

Technology training center, §6-13-1023.

Terms of office, §6-13-1007.

Title of subchapter, §6-13-1001.

Elections, §§6-14-101 to 6-14-124.

School elections.

Absentee ballots, §6-14-102.

Annexation of districts, §6-14-122.

Appeals, §6-14-115.

Applicability of general election laws, §6-14-101.

Ballots, §6-14-111.

Secret ballot, §6-14-110.

Write-in candidates, §6-14-111.

Candidates.

Names on ballots, §6-14-111.

Canvass of votes, §6-14-115.

Certification of results, §6-14-115.

Consolidation of districts, §6-14-122.

Contests, §6-14-116.

Jurisdiction of circuit court, §6-14-116.

Procedure, §6-14-116.

Time for contests, §6-14-116.

Cost of election, reimbursement to county, §6-14-118.

Counting votes, §6-14-114.

County boards of education.

Vesting of jurisdiction, §6-14-116.

Date of annual election, §6-14-102.

District situated in more than one county, preelection procedures, §6-14-124.

SCHOOLS AND EDUCATION

—Cont'd

Elections —Cont'd

School elections —Cont'd

Early voting, §6-14-102.

Election commissioners.

Qualifications and appointment, §6-14-106.

Merger of districts, §6-14-122.

Notice, §6-14-109.

Candidates.

Filing notice of write-in candidacy, §6-14-111.

Polling places, §6-14-106.

Poll workers.

Qualifications and appointment, §6-14-106.

Purpose of act, §6-14-116.

Qualifications of voters, §6-14-108.

Reimbursement of election costs, §6-14-118.

Returns, §6-14-115.

Runoff elections, §6-14-121.

Secret ballot, §6-14-110.

Special elections, §§6-14-102, 6-14-111.

Consolidation or annexation, §6-14-122.

Tie vote, §6-14-121.

Verification of voter registration when voting, §6-14-123.

Voters.

Qualification, §6-14-108.

Votes.

Counting votes, §6-14-114.

Tie votes, §6-14-121.

When held, §§6-14-102, 6-14-111.

Winner of election, information to be provided to, §6-14-115.

Write-in-candidates.

Petitions or notices of write-in candidacies, filing, §6-14-111.

Elective or appointive offices.

Public school district policy, §6-17-115.

State policy, §6-17-115.

Elementary school fundraising, §§6-18-1101 to 6-18-1104.**Emergencies.**

Alternative instruction plan for missed school days, §6-10-127.

Center for school safety.

Advisory board, §6-15-1305.

Confidentiality of emergency or security records or information, §6-15-1304.

Delayed start time or early release due to, §6-10-126.

SCHOOLS AND EDUCATION

—Cont'd

Emergencies —Cont'd

Emergency operations and communications plans, §6-15-1302.

First aid personnel, §6-17-102.

Making up school days cancelled because of, §6-10-127.

Safe schools initiative act, §6-15-1303.

Emergency management coordinator.

Floor plan on file with, §6-10-125.

Emergency purchases.

Ethics, §6-24-109.

Eminent domain.

School districts.

Power granted school districts, §6-13-103.

Endorsed concurrent enrollment

courses, §§6-16-1201 to 6-16-1206.

Energy saving contracts for projects.

School districts, §6-20-405.

English.

Basic language of instruction, §6-16-104.

Educational support and accountability act.

Statewide student assessment system.

English learners, use of scores on statewide assessments for accountability purposes, §6-10-130.

Environmental health.

Physical activity in schools.

Procedures and staff training as to health and safety conditions, §6-18-708.

Epinephrine.

Use by or administration to school students, §6-18-707.

Equal access.

Citation of subchapter, §6-21-201.

Construction and interpretation, §6-21-203.

Definitions, §6-21-202.

Denial of equal access.

Prohibited, §6-21-204.

Open forum.

Limited open forum, §6-21-205.

Fair opportunity, §6-21-206.

Prohibited acts.

Denial of equal access, §6-21-204.

Title of subchapter, §6-21-201.

SCHOOLS AND EDUCATION

—Cont'd

Equipment.

Public school academic equipment manual.

Academic facilities program, §6-21-810.

Equity assistance center, §6-17-1902.**Ethics.**

Administrative remedies, §6-24-114.

Administrators, §6-24-106.

Restrictions on employment, §6-24-111.

Awards.

Effect, §6-24-113.

Boards of education, §6-24-105.

Vacancies, filling, §6-24-117.

Bribery.

Non-employees, §6-24-110.

Compliance.

Enforcement, §6-24-118.

Requests for review of transactions, §6-24-116.

Confidential information, disclosure, §6-24-104.

Conflict of laws, §6-24-103.

Criminal penalties, §6-24-115.

Defined terms, §6-24-102.

Emergency purchases, §6-24-109.

Employees, §6-24-107.

Enforcement, §6-24-118.

General policy, §6-24-101.

Grants.

Effect, §6-24-113.

Gratuities, §6-24-112.

Intent, §6-24-101.

Kickbacks, §6-24-112.

Nepotism.

Effect, §6-24-106.

Non-employees, §6-24-110.

Policy of state, §6-24-101.

Prereview of transactions, §6-24-116.

Prohibited conduct, §6-24-104.

Reimbursement of expenses.

Effect of chapter, §6-24-108.

Remedies.

Administrative remedies, §6-24-114.

Reprimands.

Administrative remedies, §6-24-114.

Requests for review of transactions, §6-24-116.

Rulemaking authority, §6-24-119.

School boards, §6-24-105.

School district treasurers, §6-24-106.

Restrictions on employment, §6-24-111.

SCHOOLS AND EDUCATION

—Cont'd

Ethics —Cont'd

Superintendents, §6-24-106.

Restrictions on employment,
§6-24-111.

Suspension or revocation of licenses.

Administrative remedies, §6-24-114.

Evaluation of instructional programs.Alternative learning environments,
§6-48-104.

Legislative findings, §6-16-901.

Procedures, §6-16-901.

Evidence.

Concealing guns and drugs in school property.

Admissibility of evidence obtained,
§6-21-608.**Excellence in education.**Educational excellence trust fund,
§§6-5-301 to 6-5-308.**Exchange students.**International student exchange visitor placement organizations,
§§6-18-1701 to 6-18-1708.**Expulsion, §6-18-507.**

Digital learning as alternative educational courses for expelled students, §6-16-1406.

Enrollment during expulsion,
§6-18-510.**Extracurricular activities.**

Payment for instruction in order to participate, prohibition, §6-16-151.

Eye and vision screenings and eye examinations for students,

§§6-18-1501 to 6-18-1506.

Commission on eye and vision care of school-age children, §§6-18-1801 to 6-18-1803.

Composition of commission,
§6-18-1802.

Duties, §6-18-1803.

Established, §6-18-1802.

Expense reimbursements,
§6-18-1802.

Legislative intent, §6-18-1801.

Reports, §6-18-1803.

Study and evaluation of issues,
§6-18-1803.

Vacancies, §6-18-1802.

Consultants.Selecting optometrists or ophthalmologists to serve as,
§6-18-1506.**SCHOOLS AND EDUCATION**

—Cont'd

Eye and vision screenings and eye examinations for students

—Cont'd

Eye and vision screenings.

Required, tests included, rescreening student, report, §6-18-1501.

Standardized forms for reports,
§6-18-1503.

Eye exams.

Children not passing screening,
§6-18-1502.Training school nurses to perform,
§6-18-1504.**Eye protection, §6-10-113.**

Colleges and universities, §6-61-108.

Vocational and technical schools,
§6-51-102.**Facilities distress program,**

§6-21-811.

Student transfers, §6-21-812.

Facilities master plan, §§6-21-805 to 6-21-807.**Faculty involvement program,**

§6-63-502.

Fair dismissal of teachers,

§§6-17-1501 to 6-17-1510.

Fair hearing law, §§6-17-1701 to 6-17-1705.**Farms and farmers.**

Farm to school and early childhood education program, §§6-18-2101 to 6-18-2103.

Coordinator, §6-18-2103.

Definitions, §6-18-2102.

Established, §6-18-2103.

Legislative findings, §6-18-2101.

Federal aid.

Acceptance, §6-11-113.

Children in institutions.

Qualifications for federal benefits,
§6-11-120.

Disabilities, children with, §6-41-221.

Early childhood and adult education act.

State board of education to administer federal funds,
§6-16-302.**Exceptional children.**

Gifted and talented children.

Disbursing agency for federal funds, §6-42-105.

School districts.

Interest-free loans from federal agencies.

Acceptance by school district,
§6-20-411.

SCHOOLS AND EDUCATION

—Cont'd

Federal aid —Cont'd

State board of education.

Designated as agency to receive and administer.

Early childhood and adult education act, §6-16-302.

State treasurer.

Trustee for funds, §6-11-113.

Federal turnback funds, §6-20-224.**Fees.**

Advanced placement tests.

Subsidized fees, §6-16-804.

Summer school programs, §6-16-702.

Feminine hygiene products, availability at no charge, §6-18-717.**Financial aid.**

Attendance.

Official data for minimum foundation aid and transportation aid, §6-18-213.

Financial literacy.

Financial education commission, §§6-1-701 to 6-1-706.

Board of directors, §6-1-703.

Duties, §6-1-704.

Established, §6-1-703.

Funding of commission activities, §6-1-705.

Members, §6-1-703.

Purpose of provisions, §6-1-702.

Rulemaking to implement provisions, §6-1-706.

Title of provisions, §6-1-701.

Personal finance and macroeconomics action plan, §6-60-117.

Fines.

Attendance.

Disposition of fines collected under act, §6-10-103.

Illegal acts involving school officials, §6-21-410.

Firearms.

Hunting safety course as part of school curriculum, §6-16-153.

Fire marshal program, §6-10-110.**Fires and fire prevention.**

Closing of schools for breaks.

Fire hazards inspection prior to, §6-21-106.

Fire marshal program, §6-10-110.

First aid.

Bleeding control training, §6-10-133.

Emergency first aid personnel required, §6-17-102.

SCHOOLS AND EDUCATION

—Cont'd

Fiscal assessment and**accountability program,**

§§6-20-1901 to 6-20-1914.

Actions of commissioner, §6-20-1909.

Actions of state board, §6-20-1910.

Classification of status, §6-20-1906.

Debt issuance prohibited, §6-20-1907.

Definitions, §6-20-1903.

Improvement plan, §6-20-1908.

Indicators of fiscal distress, §6-20-1904.

Notice of identification as being in distress, §6-20-1905.

Purpose of provisions, §6-20-1902.

Rules, §6-20-1911.

Title of provisions, §6-20-1901.

Fiscal year.

School fiscal year for state, §6-20-410.

Fish and wildlife conservation instruction, §6-16-1101.**Flags.**

American flag.

Furnished schools, §6-16-105.

Instruction of pupils, §6-16-105.

Arkansas flag.

Display by public schools, §6-16-106.

Procurement by public schools, §6-16-106.

Floor plan on file with emergency management coordinator, §6-10-125.

Floor plan defined, §6-10-125.

Food-handling safety, §6-16-126.

Instructional materials clearinghouse, §6-16-126.

Foreign languages.

Early grades foreign language pilot program, §6-16-128.

Teacher training program, §6-16-127.

Foster children.

Enrollment in school district, placement outside boundaries of district, §6-18-202.

Funds for children with disabilities or foster children, §§6-20-501 to 6-20-510.

School choice for children in foster care, §6-18-233.

4-H programs.

Additional absences for participation, §6-18-220.

Four-day school week, §6-10-117.**Fraternities, §§6-18-601 to 6-18-607.**

Defined, §6-18-601.

Exemptions, §6-18-604.

Expulsion of members, §6-18-605.

SCHOOLS AND EDUCATION

—Cont'd

Fraternities —Cont'd

High school orders.

Reference to in publications
unlawful, §6-18-607.

Newspapers.

Reference to secret high school
orders, §6-18-607.

Penalties.

Violation of chapter, §6-18-602.

Pledges.

Soliciting unlawful, §6-18-606.

Prohibited, §6-18-603.

Suspension of members, §6-18-605.

Violation of chapter.

Penalties, §6-18-602.

Fraud.

School districts.

Treasurers.

Penalty for fraudulent use of
funds, §6-13-701.**Free textbooks act, §§6-21-401 to
6-21-413.****Fundraising, elementary schools,
§§6-18-1101 to 6-18-1104.****Funds.**Arkansas school for mathematics,
sciences and the arts, §6-42-307.Children with disabilities or foster
children, §§6-20-501 to 6-20-510.Educational excellence trust fund,
§§6-5-301 to 6-5-308.Electronic warrants transfer system,
§6-20-103.Foster children, §§6-20-501 to
6-20-510.

History textbook revolving fund.

Establishment, §6-20-205.

Home-schooled students.

Ineligibility for local, state or federal
funds, §6-15-507.

Land sales fund, §6-20-202.

Motor vehicle insurance.

Public school insurance trust fund,
§6-21-710.

Petty cash fund, §6-20-409.

School districts.

Activity funds, §6-13-701.

Debt service fund, §§6-20-1209 to
6-20-1211.

Warrants.

Electronic transfer system,
§6-20-103.**Future Farmers of America.**Additional absences for participation,
§6-18-220.**SCHOOLS AND EDUCATION**

—Cont'd

Gender identity.Parental notice and consent
requirements, §6-16-1006.**Gifted and talented children,
§§6-42-101 to 6-42-109.****Gifts.**Early childhood and adult education
act.Acceptance of gifts, grants and
donations, §6-16-303.

School districts.

Public recreation and playgrounds.

Acceptance of gifts and bequests,
§6-21-503.

School lunch program.

Acceptance, §6-20-706.

Textbooks.

Illegal acts involving school officials,
§6-21-410.**Governor's scholars program.**

Academic ability.

Defined, §6-82-302.

Administration of program, §6-82-304.

Allocation of scholarships, §6-82-311.

Amount of scholarships, §6-82-312.

Approved institutions.

Defined, §6-82-302.

Arkansas governor's distinguished
scholars.Designation of students as,
§6-82-306.

Recipients known as, §6-82-305.

Arkansas governor's scholars.

Recipients known as, §6-82-305.

Award of scholarships, §6-82-309.

Baccalaureate degree.

Scholarships not to be utilized for
purposes beyond, §6-82-310.

Creation of program, §6-82-303.

Definitions, §6-82-302.

Determinations by legislature,
§6-82-301.

Division of higher education.

Administration of program,
§6-82-304.

Award of scholarships.

Manner to be determined by
division, §6-82-309.

Defined, §6-82-302.

Duration of scholarships, §6-82-311.

Eligibility for award, §6-82-306.

Continuing eligibility, §6-82-311.

Eligible student.

Defined, §6-82-302.

Establishment of program, §6-82-303.

SCHOOLS AND EDUCATION

—Cont'd

Governor's scholars program

—Cont'd

Examinations.

Competitive examination.

Defined, §6-82-302.

Full-time student.

Defined, §6-82-302.

Legislative declaration, §6-82-301.

Maximum amount of scholarships,
§6-82-312.

Number of scholarships, §6-82-308.

Qualifications of applicants, §6-82-306.

Refunds, §6-82-314.

Renewal of scholarships, §6-82-311.

Responsibility of applicants, §6-82-307.

Rules.

Responsibilities of applicant,
§6-82-307.

Superior academic ability.

Criteria for satisfying, §6-82-306.

Termination of scholarships,
§6-82-313.

Term of scholarships, §6-82-311.

Undergraduate student.

Defined, §6-82-302.

Use of scholarship, §6-82-310.

Withdrawal from school.

Refund, §6-82-314.

Grading scale.

Uniform scale for public schools.

Advanced placement course.

Defined, §6-15-901.

Exemptions, §6-15-902.

Special education classes, §6-15-902.

Table, §6-15-902.

Graduation.Districts to keep records of students
leaving school without graduating,
§6-18-214.

Excessive absences.

Basis for denial of promotion or
graduation, §6-18-209.Military child school transitions act of
2021 for students changing school
districts.Graduation, ensuring timely
completion of requirements,
§6-28-115.

Quarterly reports, §6-18-214.

School performance report act,
§§6-15-1401, 6-15-1402.**Grants.**Advanced placement incentive
program, §6-16-804.

Funding for program, §6-16-805.

SCHOOLS AND EDUCATION

—Cont'd

Grants —Cont'dDistance learning demonstration
project.Funding of project, §§6-47-501 to
6-47-504.

Ethics.

Effect, §6-24-113.

Teacher opportunity program,
§§6-81-601 to 6-81-606.**Gratuities.**

Ethics, §6-24-112.

Grief counseling.

Anonymous reporting by students.

ARSafeSchools, school safety and
crisis line, §§6-18-111, 6-18-112.**Grievance procedure.**

Dispute resolution process, §6-17-208.

Duties of school districts, §6-17-208.

Group grievance, §6-17-208.

Guidance programs.

One-half time guidance programs.

Authorized, §6-20-102.

State aid, §6-20-102.

Gun violence prevention week.

Courses of study, §6-16-129.

Hand-held laser pointers.

Student possession.

Seizure of, §6-18-512.

Handwriting.

Courses of study.

Cursive writing, §6-16-146.

Harassment, policies to prevent,

§6-18-514.

Professional development for school
personnel in bullying prevention,
§6-17-711.**Hazing.**General provisions, §§6-5-201 to
6-5-204.**Health.**Adrenal insufficiency or crisis,
administration of medication,
§6-18-718.

Bleeding control training.

High school health courses,
§6-10-133.

Diabetes.

Monitoring and treatment functions
by students, §6-18-711.Distribution of excess food to students,
§6-18-716.Eye and vision screenings and eye
examinations for students,
§§6-18-1501 to 6-18-1506.Commission on eye and vision care
of school-age children,
§§6-18-1801 to 6-18-1803.

SCHOOLS AND EDUCATION

—Cont'd

Health —Cont'd

Farm to school and early childhood education program, §§6-18-2101 to 6-18-2103.

Feminine hygiene products, availability at no charge, §6-18-717.

Healthy active Arkansas schools act, §6-18-719.

Hunger-free students' bill of rights act. Discriminatory or shaming practices prohibited, §6-18-715.

Immunization required, §6-18-702.

Individualized healthcare plans, §6-18-701.

Nurses in schools, reporting by school districts, §6-18-709.

Physical activity in schools.

Procedures and staff training as to health and safety conditions, §6-18-708.

Physical examinations, §6-18-701.

Public school health services survey participation, §6-18-709.

School-based health clinic, §6-18-703.

Sunscreen use by students, §6-18-714.

Healthcare student summer enrichment program for underrepresented student populations, §§6-5-801 to 6-5-804.

Academic physician program, §6-5-803.

Generally, §6-5-804.

Legislative findings, §6-5-802.

Title of provisions, §6-5-801.

Health education.

Kids-for-health program, §6-16-1001.

Healthy active Arkansas schools act, §6-18-719.**Hearings.**

Fair hearing law, §§6-17-1701 to 6-17-1705.

Quality education act.

Development of rules and standards, §6-15-202.

Heart attacks.

School procedures and staff training as to athletic activities.

Sudden cardiac arrest, §§6-18-708, 6-18-713.

Higher education awareness program.

Business interaction, §6-5-404.

Citation of act, §6-5-401.

Cooperation with program, §6-5-404.

Development, §6-5-403.

Goals of act, §6-5-402.

SCHOOLS AND EDUCATION

—Cont'd

Higher education awareness

program —Cont'd

Legislative findings, §6-5-402.

Scholarship information.

Compilation and dissemination, §6-5-403.

Scope of program, §6-5-403.

Short title, §6-5-401.

Technical job skills and apprenticeships.

State funded programs for development of.

Compilation and dissemination of information about programs, §6-5-403.

Higher education expenditure restrictions, §§6-63-301 to 6-63-316.**High school diploma, reengagement system and differentiated pathway to, §§6-16-1501 to 6-16-1506.**

Authority and participation of school district, §6-16-1504.

Definitions, §6-16-1503.

Establishment of program, §6-16-1502.

Legislative findings and intent, §6-16-1501.

Model contract and interlocal agreement, §6-16-1505.

Rulemaking to implement program, §6-16-1506.

School district participation, §6-16-1504.

High school equivalency diploma testing for adults, §6-16-118.**High-Tech scholarship program.**

Academic ability.

Defined, §6-82-401.

Administration, §6-82-403.

Allocation of scholarships, §6-82-409.

Amount of scholarships, §6-82-408.

Applications.

Requirements, §6-82-405.

Approved high technology program.

Defined, §6-82-401.

Approved institutions.

Defined, §6-82-401.

Award of scholarships, §6-82-406.

Number of scholarships, §6-82-407.

Citation of program, §6-82-402.

Created, §6-82-402.

Definitions, §6-82-401.

Division.

Authority, §6-82-403.

SCHOOLS AND EDUCATION

—Cont'd

High-Tech scholarship program

—Cont'd

Division —Cont'd

Award of scholarship.

Manner to be determined by
division, §6-82-406.

Duration of scholarships, §6-82-409.

Eligibility for scholarship, §6-82-404.

Established, §6-82-402.

Full-time student.

Defined, §6-82-401.

Maximum amount of scholarships,
§6-82-408.

Number of scholarships, §6-82-407.

Refunds, §6-82-410.

Renewal of scholarships, §6-82-409.

Responsibility of applicant, §6-82-405.

Scholarship.

Defined, §6-82-401.

Term of scholarships, §6-82-409.

Withdrawal from school.

Refunds, §6-82-410.

Historical artifacts of school district.

Annexation and consolidation.

Duty to obtain, retain, preserve and
display, §6-13-1609.**Historical documents.**Content-based censorship prohibited,
§6-16-122.

Posting in public schools, §6-16-122.

History.

Arkansas history, §6-16-124.

Course guidelines, §6-16-124.

History courses.

Required contents, §6-16-148.

History textbook.

Publication and sale, §6-20-205.

Revolving fund.

Fund established within public
school fund, §6-20-205.**Holidays.**

Patriotic observances, §6-16-107.

Holocaust education, requirements,
§6-16-154.**Home schooling,** §§6-15-501 to
6-15-510.**Honor roll system.**Establishment, districts authorized,
identification of students
qualifying for, §6-18-101.**Hunger-free students' bill of rights
act.**Discriminatory or shaming practices
prohibited, §6-18-715.**SCHOOLS AND EDUCATION**

—Cont'd

**Hunting safety course as part of
curriculum,** §6-16-153.**Identification badges for students.**Hotlines and other information to be
included, §§6-18-113, 6-60-118.**Illegal acts involving school officials,**
§6-21-410.**Immunity.**Enforcing policy compliant with state
or federal law, immunity,
§6-10-131.Military child school transitions act of
2021 for students changing school
districts.Immunity from liability, effect of
provisions, §6-28-206.

Reporting student drug abuse.

Immunity from civil liability,
§6-17-107.Student publications and
school-sponsored media.Immunity of school officials for
student expressions, §6-18-1203.**Immunization.**

Enforcement, §6-18-702.

Exceptions, §6-18-702.

Military child school transitions act of
2021 for students changing school
districts, §6-28-110.

Penalty for violation, §6-18-702.

Required, §6-18-702.

Income tax.

Philanthropic investment in Arkansas

Kids Program, tax credit,

§§6-18-2301 to 6-18-2308.

Injury to schoolhouse or fixtures.

Penalties, §6-21-605.

Innovation.School of innovation, §§6-15-2801 to
6-15-2804.**Inspections.**

Academic facilities program.

Random unannounced on-site
inspections, §6-21-813.Fire hazards inspection prior to
closing for breaks, §6-21-106.**Institutional law enforcement
officers,** §§6-13-1701 to 6-13-1707.**Institutions.**

Children in institutions.

Federal benefits, §6-11-120.

Future federal assistance, §6-11-120.

Educational programs for children in
institutions.

Authority of state board, §6-11-120.

Contracts, §6-11-120.

SCHOOLS AND EDUCATION

—Cont'd

Institutions —Cont'd

Public elementary and secondary school insurance, §§6-20-1501 to 6-20-1515.

Instructional materials, parental challenge, §6-16-155.**Insurance.**

Buildings.

Insurance of buildings, contents and other property, §§6-20-1501 to 6-20-1515.

Motor vehicle insurance, §§6-21-701 to 6-21-710.

School districts.

Group insurance for independent school districts, §6-17-1115.

Liability insurance for board members, §6-13-625.

Schoolhouses.

Insurance of buildings, contents and other property, §§6-20-1501 to 6-20-1515.

State and public school employees life and health insurance program, §§6-17-1109 to 6-17-1118.

Advisory committee.

Cooperation among all entities under act, §6-17-1114.

Bids.

Approval of bid proposals, §6-17-1109.

Notice for bid proposals, §6-17-1109.

Health insurance.

Contribution by local school districts, §6-17-1117.

Retirement systems.

Members, §6-17-1112.

Supervisor of public school

employees insurance section.

Cooperation among all entities under act, §6-17-1114.

Interest.

Bond issues.

District school bonds, §6-20-1206.

International baccalaureate diploma.

Advanced placement and international baccalaureate diploma incentive program, §§6-16-801 to 6-16-806.

International student exchange visitor placement organizations, §6-18-1701 to 6-18-1708.**Internet access, §6-21-107.**

Division of elementary and secondary education website.

Data accessible, §6-11-129.

SCHOOLS AND EDUCATION

—Cont'd

Internet access —Cont'd

Legislation concerning public school funding.

State board to provide access to, §6-20-2304.

School district websites.

Data accessible, §6-11-129.

Notice of meetings of board of directors, §6-13-619.

Student online personal information protection act, §6-18-109.

Internet filters.

Required, §6-21-111.

Interscholastic activities.

Home schooled students participating in, §6-15-509.

Private schools, §6-15-510.

Payment for instruction in order to participate, prohibition, §6-16-151.

Interschool athletic program funds tracking, §§6-20-2001 to 6-20-2004.**Isolated school districts, §§6-20-601 to 6-20-604.****Isolated schools.**

Defined, closure, §6-20-602.

Junior Reserve Officer Training Corps.

Credit for participation, §6-16-141.

Juvenile correctional facilities.

Reimbursement for educational services, §6-20-104.

Juvenile delinquents.

Notice of disposition of minor adjudicated delinquent or convicted of criminal offense, §6-10-134.

Juveniles placed in in-state residential or inpatient facilities.

Educational costs or other related costs.

Liability, §6-20-107.

Juveniles placed in out-of-state residential or inpatient facilities.

Educational costs or other related costs.

Liability, §6-20-107.

Kickbacks.

Ethics, §6-24-112.

Kids-for-health program, §6-16-1001.**Kindergartens.**

Age.

Minimum age of child admitted, §§6-16-308, 6-18-207.

Prekindergarten, §6-18-230.

SCHOOLS AND EDUCATION

—Cont'd

Kindergartens —Cont'd

Appropriations.

Limited to approved programs,
§6-16-310.

Fees.

Charging of fees prohibited,
§6-16-312.

Private programs.

Approval, §6-16-311.

Programs to be offered by each school
district, §6-16-201.

Readiness testing, §6-16-203.

School districts.

Program to be offered by each school
district, §6-16-201.

Skills and knowledge desired,
§6-18-105.

Standards.

Minimum standards, §6-16-313.

Tuition.

Charging of tuition prohibited,
§6-16-312.

Lab equipment.

Donation of equipment seized under
drug paraphernalia law,
§6-21-102.

Land sales fund, §6-20-202.**Language of instruction.**

English language, §6-16-104.

Laptop computers.

School discipline policy and
exemptions concerning possession
and use by students of personal
electronic devices.

School district may establish,
§6-18-515.

Law enforcement officers in school.

Institutional law enforcement officers,
§§6-13-1701 to 6-13-1707.

Applicability of provisions,
§6-13-1702.

Appointment, §6-13-1703.

Arrest outside of institutional
jurisdiction, §6-13-1704.

Authority, §6-13-1703.

Definitions, §6-13-1701.

Identification, §6-13-1703.

Motor vehicles on property of
institution, §6-13-1707.

Personal liability limited,
§6-13-1705.

Powers and duties, §6-13-1704.

Prosecution of actions arising from,
§6-13-1706.

Revocation of authority, §6-13-1703.

SCHOOLS AND EDUCATION

—Cont'd

Law enforcement officers in school

—Cont'd

School resource officers, §6-10-128.

Teachers, recommendation of
suspension.

Notice to school resource officer,
§6-17-1508.

Teachers, recommendation of
termination.

Notice to school resource officer,
§6-17-1507.

Leadership coordinating council,

§§6-1-401 to 6-1-405.

Composition, §6-1-404.

Established, §6-1-401.

Legislative findings, §6-1-402.

Purpose of council, §6-1-403.

Reporting, §6-1-405.

Staff, §6-1-404.

Learning disabilities.

Dyslexia and related learning
disorders, §§6-41-601 to 6-41-612.

Identification of children with
disabilities, §6-41-103.

Leases.

School districts.

Oil, gas and mineral leases.

Execution by directors, §6-13-624.

Former leases validated,
§6-13-624.

Liability, §6-18-205.

Attendance in another district.

Payment of tuition by home district
to receiving district, §6-18-204.

Permission of receiving district,
§6-18-204.

Prerequisites, §6-18-204.

Purpose of act, §6-18-204.

Quality education act.

Short title, §6-18-204.

Teachers.

Records, §6-18-217.

Title of act, §6-18-204.

Transportation aid.

Attendance as official data for
minimum aid, §6-18-213.

Truants.

Tuition.

Amount of tuition, §6-18-204.

Payment by home district to
receiving district, §6-18-204.

Violations.

Prosecuting attorney to prosecute
violators, §6-10-104.

Where courses not offered in home
district, §6-18-204.

Prerequisites, §6-18-204.

SCHOOLS AND EDUCATION

—Cont'd

Libraries.

Media and technology act, §§6-25-101 to 6-25-106.

Legislative intent, §6-25-101.

Media services program, §6-25-103.

Media specialist, §6-25-104.

Policies and guidelines, §6-25-105.

School media collection, §6-25-106.

Title of provisions, §6-25-102.

Licensed practical nurse pathway pilot program, §6-16-1005.**Licenses.**

Meeting national goals, §6-15-1005.

Literacy.

Dyslexia and related learning disorders, §§6-41-601 to 6-41-612.

Educational support and accountability act.

School-level improvement plans, literacy plan requirement, §6-15-2914.

In-service training of teachers, improvement of student reading skills, §6-17-701.

Public school student progression reports.

Reading level of student to be included, §6-15-2006.

Scientific reading instruction, §6-17-429.

Loans.

School districts.

Academic facilities funding.

High-growth school district loan program, §6-20-2511.

Lockdowns.

Safe schools initiative act, §6-15-1303.

Loitering.

On or near school grounds.

Penalty, §6-21-607.

Lunch.

Hunger-free students' bill of rights act, §6-18-715.

School lunch program, §§6-20-701 to 6-20-709.

Mathematics.

School for mathematics, sciences and the arts, §§6-42-301 to 6-42-310.

Meals and snacks for students.

Hunger-free students' bill of rights act, §6-18-715.

School lunch program, §§6-20-701 to 6-20-709.

Medicaid billing.

Report of school districts underperforming in direct-service Medicaid billing, §6-10-119.

SCHOOLS AND EDUCATION

—Cont'd

Medical professions.

Healthcare student summer enrichment program for underrepresented student populations, §§6-5-801 to 6-5-804.

Mental health.

Educational programs for children in institutions, §6-11-120.

Youth mental health first aid training for counselors, §6-18-2004.

Military affairs.

Choice of public school.

Transfer of children of active duty members, §6-18-227.

Deployment or relocation of parent or guardian.

Attendance in district other than residential district, §6-18-203.

High school students, credit for completion of military basic training, §6-16-150.

Interstate compact for educational opportunity for military children, §§6-4-301 to 6-4-307.

Adoption, §6-4-302.

Fee for member state, §6-4-307.

Text, §6-4-302.

Title, §6-4-301.

Military child school transitions act of 2021 for students changing school districts, §§6-28-101 to 6-28-206.

Academic course placement, §6-28-112.

Advance notice and enrollment, §6-28-108.

Applicability of provisions, §6-28-105.

Arkansas council for military children, §6-28-106.

Administrative staff, §6-28-204.

Chair, §6-28-202.

Duties, §6-28-204.

Meetings, §6-28-204.

Members, §6-28-203.

Purpose, §6-28-204.

Qualifications of members, §6-28-203.

Reports and recommendations, §6-28-204.

Definitions, §6-28-104.

Diploma, acceptance from sending district, §6-28-115.

Educational program placement, §6-28-112.

Excused absences, additional, §6-28-114.

SCHOOLS AND EDUCATION

—Cont'd

Military affairs —Cont'd

Military child school transitions act of 2021 for students changing school districts —Cont'd

Grade level placement, §6-28-111.

Graduation, ensuring timely completion of requirements, §6-28-115.

Immunity from liability, effect of provisions, §6-28-206.

Immunization requirements, §6-28-110.

Legislative findings, §6-28-102.

Military family education coordinators, §6-28-116.

Military family education liaison, §6-28-205.

Preregistration of student based on education records, §6-28-107.

Provisional placement of student, §§6-28-107, 6-28-108.

Purpose of provisions, §6-28-103.

Reporting of enrollments, §6-28-117.

Special education services, provision, §6-28-113.

State direction and coordination.

Administering entities, §6-28-106.

Chair of council and compact commissioner, person to act as, §6-28-202.

Duties of compact commissioner, §6-28-202.

Required, §6-28-201.

Title of provisions, §6-28-101.

Transfer of education records, §6-28-107.

Virtual coursework, enrollment in, §6-28-109.

National guard.

Additional absences to complete basic combat training, §6-18-231.

School districts.

Directors.

Contracts for military training equipment, §6-21-103.

Permitting recruiters equal access to school facilities and records, §6-13-626.

Vacancies created by directors entering armed forces, §6-13-613.

Mines and minerals.

School districts.

Oil, gas and mineral leases.

Execution by directors, §6-13-624.

SCHOOLS AND EDUCATION

—Cont'd

Mines and minerals —Cont'd

School districts —Cont'd

Oil, gas and mineral leases —Cont'd
Former leases validated, §6-13-624.

Minimum standards.

Quality education act generally, §§6-15-201 to 6-15-216.

Minorities.

Equity assistance center, §6-17-1902.

Minority teacher and administrator preparation and recruitment strategic plan.

Department of education, §6-17-1903.

Racial and ethnic sensitivity program, §6-17-110.

Teacher and administrator recruitment and retention plan, §6-17-1901.

Mobile phones.

School discipline policy and exemptions concerning possession and use by students of personal electronic devices.

School district may establish, §6-18-515.

Model rural school consortium,

§§6-13-1101 to 6-13-1106.

Board.

Composition, §6-13-1102.

Powers and duties, §6-13-1104.

Contingent implementation of subchapter, §6-13-1106.

Creation.

Authority, §6-13-1102.

Criteria for establishment, §6-13-1106.

Intent of legislature, §6-13-1101.

Purpose of subchapter, §6-13-1101.

Motor vehicles.

Attendance.

Unexcused absences.

Suspension of driving privileges, §6-18-222.

Institutional law enforcement officers.

Motor vehicles on property of institution, §6-13-1707.

Insurance of school vehicles, §§6-21-701 to 6-21-710.

Administration of program, §6-21-704.

Citation of subchapter, §6-21-701.

Department of insurance.

Administration of program, §6-21-704.

SCHOOLS AND EDUCATION

—Cont'd

Motor vehicles —Cont'd

Insurance of school vehicles —Cont'd

Establishment of program,
§6-21-703.

Excess insurance, §6-21-709.

Information to be furnished by
district, §6-21-706.Inspection and safety program,
§6-21-707.

Insurance commissioner.

Duties, §6-21-705.

Powers, §6-21-705.

Legislative declaration.

Purpose of subchapter, §6-21-702.

Medical payments coverage,
§6-21-708.

Participation in program, §6-21-703.

Payment of claims, §6-21-709.

Physical damage coverage,
§6-21-708.

Policy limits, §6-21-708.

Premiums, §6-21-709.

Public school insurance trust fund,
§6-21-710.

Purpose of subchapter, §6-21-702.

Reporting requirements, §6-21-704.

Safety program, §6-21-707.

School districts.

Information to be furnished by
district, §6-21-706.

Subrogation, §6-21-709.

Title of subchapter, §6-21-701.

Transportation of school children.

School buses generally, §§6-19-101
to 6-19-119.**Narcotic drugs.**

Concealing drugs.

Confiscation without warrant,
§6-21-608.

Definitions, §6-21-608.

Discipline of student, §6-21-608.

Evidence.

Admissibility, §6-21-608.

School officials.

Defined, §6-21-608.

School-owned property.

Defined, §6-21-608.

School premises.

Defined, §6-21-608.

Supervisor.

Defined, §6-21-608.

National anthem.

Star-Spangled Banner act.

Playing of national anthem at
schools and school-sanctioned
sporting events, §§6-10-136,
6-60-116.**SCHOOLS AND EDUCATION**

—Cont'd

National guard.Additional absences to complete basic
combat training, §6-18-231.High school credit for completion of
military basic training, §6-16-150.**Nepotism.**

County boards of education, §6-24-105.

Ethics.

Effect, §6-24-106.

State board of education.

Commissioner of elementary and
secondary education, §6-11-102.**Net athletic event gate receipts.**

Use of and accounting for, §6-20-417.

**New construction of academic
facilities.**Academic facilities catastrophic
program.Damage due to act of God,
§6-20-2508.

Academic partnership program.

Cash payments for new
construction, §6-20-2507.

Project cost guidelines.

Formulas established, §6-20-2509.

Public academic facility manual.

Academic facilities program,
§6-21-809.**Noncredit remedial courses.**

High school students, §6-20-223.

Notebook computers.School discipline policy and
exemptions concerning possession
and use by students of personal
electronic devices.School district may establish,
§6-18-515.**Notice.**Disposition of minor adjudicated
delinquent or convicted of criminal
offense, §6-10-134.Dyslexia and related learning
disorders.Notice to parent or guardian of need
for therapy services, §6-41-604.

Education service cooperatives.

Fiscal distress.

Notice to school district of
classification, §6-13-1027.

Elections.

School elections, §6-14-109.

Home-schooled students.

Notice of intent to provide home
schooling, §6-15-503.

SCHOOLS AND EDUCATION

—Cont'd

Notice —Cont'd

Insurance.

Public school employees.

Life and disability insurance.

Bid proposals, §6-17-1109.

Quality education act.

Failure to meet minimum standards.

Public notice of probationary
status schools, §6-15-208.Failure to meet standards,
§6-15-203.

Restraint of students.

Notice of incidents, §6-18-2407.

Revolving loan fund.

Bond issues.

Sale of bonds, §6-20-1008.

School term.

Notice of beginning, §6-10-107.

Suspension of student.

Notice to parent or legal guardian,
§6-18-507.**Nutrition and physical activity
standards for students.**Healthy active Arkansas schools act,
§6-18-719.**Oaths.**

School districts.

Directors, §6-13-617.

State board of education.

Members, §6-11-101.

**Office of education renewal zones,
§§6-15-2501 to 6-15-2506.**

Creation of division, §6-15-2501.

Funding contingency, §6-15-2506.

Inclusion of certain schools,
§6-15-2503.

Interlocal agreements, §6-15-2502.

Partners, §6-15-2502.

Purpose, §6-15-2502.

Reports, §6-15-2505.

School-level improvement plans,
§6-15-2504.**Oil and gas.**

School districts.

Oil, gas and mineral leases.

Execution by directors, §6-13-624.

Former leases validated,
§6-13-624.**Operation stay in school.**

Program, §6-18-221.

**Organ donor awareness education,
§6-16-501.****Pages for general assembly during
legislative session.**

Student serving as.

Instructional assignment, not
considered absent, §6-18-229.**SCHOOLS AND EDUCATION**

—Cont'd

Paging devices.School discipline policy and
exemptions concerning possession
and use by students of personal
electronic devices.School district may establish,
§6-18-515.**Panic button alert system,
§6-15-1302.****Paraprofessionals.**Bonuses for highly qualified
paraprofessionals, §6-17-2206.**Parent and child.**

Criminal law and procedure.

Parental notification of law
enforcement actions, §6-18-513.Inspection and challenge of
instructional materials, §6-16-155.

Sex education.

Parental notice and consent
requirements, §6-16-1006.**Parent and family engagement
plans, §§6-15-1701 to 6-15-1705.**

Annual review, §6-15-1703.

Compliance reviews, §6-15-1704.

Contents, §6-15-1702.

Establishment, §6-15-1702.

Goals, §6-15-1702.

Incorporation into teacher education
programs, §6-15-1705.

Public policy, §6-15-1701.

Review of plans, §6-15-1704.

Staff development, §6-15-1703.

**Parents as teachers program,
§6-10-109.****Parents of multiple birth siblings.**

Classroom assignments.

Parental decisionmaking as to
assignment, §6-18-106.**Parks and recreation.**

School districts.

Public recreation and playgrounds,
§§6-21-501 to 6-21-505.**Patriotic access to students in
schools act, §6-10-132.****Patriotic observances, §6-16-107.****Patriotism.**American heritage instruction,
§6-16-122.

Celebrate Freedom Week, §6-16-101.

Morals, manners, patriotism and
business and professional
integrity.

Courses of study, §6-16-111.

Pledge of Allegiance.

Minute of silence following
recitation, §6-16-108.

SCHOOLS AND EDUCATION

—Cont'd

Patriotism —Cont'd

- Pledge of Allegiance —Cont'd
 - Recitation requirement, §6-16-108.
- Star-Spangled Banner act.
 - Playing of national anthem at schools and school-sanctioned sporting events, §§6-10-136, 6-60-116.
- Veterans diplomas.
 - Awarding for honorable service, §§6-16-133, 6-16-134.

Penalties.

- Attendance.
 - False attendance reports, §6-18-219.
- Destruction of property, §6-21-604.
- Disturbance created by persons not students, §6-21-606.
- Fraternities.
 - Violation of chapter, §6-18-602.
- General penalty.
 - Violation of school law when no specific penalty provided, §6-10-102.
- Immunization requirements.
 - Penalty for violation, §6-18-702.
- Injury to schoolhouse or fixtures, §6-21-605.
- Loitering on or near school grounds, §6-21-607.
- School districts.
 - Purchases of commodities.
 - Violations of provisions, §6-21-302.
 - Treasurers.
 - Penalty for fraudulent use of funds, §6-13-701.
- Smoking in public schools.
 - Violation of prohibition, §6-21-609.
- Textbooks.
 - Illegal acts involving school officials, §6-21-410.

Period of silence, §6-10-115.**Personal electronic devices.**

- School discipline policy and exemptions concerning possession and use by students.
 - School district may establish, §6-18-515.

Personal information.

- Student online personal information protection act, §6-18-109.

Personal property.

- School districts.
 - Purchase of surplus government property, §6-13-110.

SCHOOLS AND EDUCATION

—Cont'd

Petitions.

- Quality education act.
 - Annexation or consolidation.
 - Petition for annexation, §6-15-207.
- School elections.
 - Petition for candidacy, §6-14-111.

Physical education.

- Courses of study, §6-16-132.
 - Credit for physical activity courses, §6-16-137.
- Healthy active Arkansas schools act, §6-18-719.

Physical restraint of students,

§§6-18-2401 to 6-18-2409.

Playgrounds.

- School districts.
 - Public recreation and playgrounds, §§6-21-501 to 6-21-505.

Pledge of Allegiance.

- Minute of silence following recitation, §6-16-108.
- Recitation requirement, §6-16-108.

Portable game console.

- School discipline policy and exemptions concerning possession and use by students of personal electronic devices.
 - School district may establish, §6-18-515.

Positive youth development grant program, §§6-5-901 to 6-5-906.

- Application for grant, §6-5-904.
- Award and use of funds, §6-5-904.
- Definitions, §6-5-902.
- Establishment, §6-5-903.
- Evaluation of program impact, §6-5-906.
- Legislative intent, §6-5-901.
- Matching funds, §6-5-904.
- Need-based funding, criteria, §6-5-905.
- Outcome measures, §6-5-906.
- Rules to implement, §6-5-903.
- Voluntary participation, §6-5-903.

Posting of historical documents in public schools, §6-16-122.**Postsecondary preparatory****programs, §§6-16-601 to 6-16-606.**

- Authority, §6-16-601.
- Content guidelines, §6-16-601.
- Contents, §6-16-602.
- Counseling to be provided, §6-16-603.
- Credit awarded for participation, §6-16-606.
- Definitions, §6-16-601.
- Development.
 - Authority, §6-16-601.

SCHOOLS AND EDUCATION

—Cont'd

Postsecondary preparatory programs —Cont'd

Duties of division, §6-16-601.

Enrollment of students, §6-16-604.

Local programs.

Mandated, §6-16-603.

Priority for enrollment, §6-16-604.

Requirements, §6-16-602.

Rules, §6-16-601.

Tests.

Acceptance of test scores, §6-16-605.

Placement test, §§6-16-603,
6-16-605.**Preschoolers.**

ABC program.

Generally, §§6-45-101 to 6-45-111.

Private schools.Resident and correspondence schools,
§§6-51-601 to 6-51-624.**Procurement.**

School districts.

Purchases of commodities,
§§6-21-301 to 6-21-307.

Small communities.

Purchases without bids, §6-13-628.

Professional development.Parent and family engagement plans,
§6-15-1703.**Promotion.**

Excessive absences.

Effect on promotion, §6-18-209.

Public school student progression,
§§6-15-2001 to 6-15-2012.**Property taxes.**

Public school funding act of 2003.

Property tax report, §6-20-2307.

Prosecuting attorneys.Compensation for prosecuting
violations, §6-10-104.

Violations.

Prosecuting attorney to prosecute
violations, §6-10-104.**Public academic facility manual,
§6-21-809.****Publication.**

Beginning of school term, §6-10-107.

School districts.

Budgets, §6-13-622.

Student publications and
school-sponsored media,
§§6-18-1201 to 6-18-1205.**Public education act of 1997,
§§6-15-1001 to 6-15-1011.**Academically competent students,
§6-15-1003.

Assistance and support, §6-15-1006.

SCHOOLS AND EDUCATION

—Cont'd

Public education act of 1997 —Cont'd

Leadership academy, §6-15-1007.

Legislative findings, §6-15-1002.

Qualified teachers in classrooms,
§6-15-1004.

Rules, §6-15-1011.

Safe, equitable and accountable
schools, §6-15-1005.

Title, §6-15-1001.

**Public education reorganization act,
§§6-13-1601 to 6-13-1613.**Administrative reorganization,
§6-13-1603.

Annexation and consolidation.

Academic support centers,
§6-13-1612.

Historical artifacts of school district.

Duty to obtain, retain, preserve
and display, §6-13-1609.

Involuntary consolidations.

Debt relief, §6-13-1610.

Minimum school district size,
waiver, §6-13-1613.

Reports, §6-13-1611.

Student records, §6-13-1607.

Audits, §6-13-1608.

Consolidation list, §6-13-1602.

Debt, limitations on incurring,
§6-13-1608.

Definitions, §6-13-1601.

Reports.

Annexation and consolidation,
§6-13-1611.**Public-public partnerships.**

School districts.

Project delivery method, §6-20-414.

**Public school academic equipment
manual.**Academic facilities program,
§6-21-810.**Public school academic facilities
funding act of 2007, §§6-20-2601
to 6-20-2623.****Public school academic facilities
program act, §§6-21-801 to
6-21-817.****Public school choice, §§6-18-1901 to
6-18-1908.**

Acceptance of credits.

Duty of nonresident district,
§6-18-1903.Appeal of rejection of application,
§6-18-1907.Applications for transfer, §6-18-1905.
Appeal of rejection of application,
§6-18-1907.

SCHOOLS AND EDUCATION

—Cont'd

Public school choice —Cont'd

Applications for transfer —Cont'd

Notice of acceptance or rejection,
§6-18-1905.Standards for acceptance or
rejection, §6-18-1903.

Award of diploma.

Duty of nonresident district,
§6-18-1903.Conflict with desegregation order or
plan, §6-18-1906.Continuity of education for public
school choice students, §6-18-108.Counted as part of average daily
membership of nonresident
district, §6-18-1904.

Definitions, §6-18-1902.

Discrimination by school district
prohibited, §6-18-1903.

Effective date, §6-18-1908.

Enrollment in private or home school,
§6-18-1904.Establishment of school choice
program, §6-18-1903.

General provisions, §6-18-1904.

Legislative findings, §6-18-1901.

Limitations, §6-18-1906.

One school choice transfer accepted,
§6-18-1904.Priority for transfer in first year
possible, §6-18-1906.Public announcements concerning
program.Superintendents to make,
§6-18-1903.Purpose of school choice program,
§6-18-1903.Return by student to district,
§6-18-1904.

Rules, §6-18-1907.

School districts to participate in
program, §6-18-1903.Sibling defined for purposes of school
choice transfer, §6-1-106.Siblings in sibling group, exercise of
school choice, §6-18-1906.Siblings of transferred student,
§6-18-1904.

Title of act, §6-18-1901.

Transfer from school of school district
classified as in academic distress.Arkansas opportunity public school
choice act, §6-18-227.

Transfer under act of 1989.

Treated as transfer under act,
§6-18-1904.**SCHOOLS AND EDUCATION**

—Cont'd

Public school choice —Cont'd

Transportation, §6-18-1904.

Public school dress codes, §6-18-102.

Discipline policy contents, §6-18-102.

Public school fund, §6-13-701.

Apportionment.

Considerations, §6-20-206.

To several counties, §6-20-204.

Bond issues.

Security of bonds, §6-20-222.

Carry over balances, §6-20-211.

Creation, §6-20-203.

Deposits, §6-20-222.

History textbook.

Proceeds deposited to credit of fund,
§6-20-205.

Management, §6-20-203.

Minimum foundation aid.

Consideration of needs when
allocating funds, §6-20-206.

Repayment of loans, §6-20-225.

Revolving fund, §6-20-205.

Security, §6-20-222.

Sources, §6-20-204.

Public school student progression,

§§6-15-2001 to 6-15-2012.

Authority of state board, §6-15-2007.

College and career readiness
assessments, §6-15-2012.

Legislative intent, §6-15-2001.

Reading deficiency and parental
notification, §6-15-2004.

Reports, §6-15-2006.

Social promotion eliminated,
§6-15-2005.

Technical assistance, §6-15-2008.

Public works contracts.

Rulemaking authority, §6-21-109.

Pupils.Age and residence of students
permitted to attend schools,
§6-18-202.Asthma inhaler or auto-injectable
epinephrine.Use by or administration to school
students, §6-18-707.

Attendance, §§6-18-201 to 6-18-233.

Birth certificate.

Presentation required, §6-18-208.

Breakfast program, §6-18-705.

Diabetes.

Monitoring and treatment functions
by students, §6-18-711.Early childhood programs, §§6-45-101
to 6-45-111.

SCHOOLS AND EDUCATION

—Cont'd

Pupils —Cont'd

Enrollment during expulsion,
§6-18-510.

Eye and vision screening, eye
examinations, §§6-18-1501 to
6-18-1506.

Commission on eye and vision care
of school-age children,
§§6-18-1801 to 6-18-1803.

Grading scale.

Uniform scale for public schools,
§§6-15-901, 6-15-902.

Health and safety conditions relating
to physical activity in schools.

Procedures and staff training,
§6-18-708.

Immunization requirements,
§6-18-702.

Individualized healthcare plans,
§6-18-701.

Multiple birth siblings.

Classroom assignments, §6-18-106.

Pages for general assembly during
legislative session.

Student serving as.

Instructional assignment, not
considered absent, §6-18-229.

Physical examinations, §6-18-701.

Records.

Permanent student records.

Maintenance, §6-18-901.

Report cards, §6-15-903.

Salutatorian.

Qualifications, §6-18-101.

School counseling improvement act of
2019, §§6-18-2001 to 6-18-2005.

School districts.

Transfer from one district to
another, §§6-18-307, 6-18-316 to
6-18-320.

Social security numbers of students.

Required for enrollment in public
schools, §6-18-208.

Use by school districts, restrictions,
§6-18-208.

Student online personal information
protection act, §6-18-109.

Student publications and
school-sponsored media,
§§6-18-1201 to 6-18-1205.

Suicidal youths.

Counseling, referrals, medical care
or other assistance, §6-17-107.

Transfer from one school district to
another.

Adjoining district, §6-18-307.

SCHOOLS AND EDUCATION

—Cont'd

Pupils —Cont'd

Transfer from one school district to
another —Cont'd

Facilities distress.

Student transfers from district
classified as in, §6-21-812.

Petition of students, §6-18-316.

Prohibited transfers, §6-18-317.

Records.

Provision of permanent student
records to receiving district,
§6-18-901.

Twins.

Classroom assignments of multiple
birth siblings, §6-18-106.

Valedictorian.

Qualifications, §6-18-101.

Quality education act, §§6-15-201 to
6-15-216.

Adoption of rules and standards,
§6-15-202.

Advanced placement course considered
as core course taught, §6-15-214.

Alternative learning environments.

Review as part of accreditation
review of district, §6-48-104.

Annexation or consolidation of school
districts, §6-15-207.

Appeals.

Failure to meet minimum standards,
§6-15-203.

Arkansas smart core incentive funding
program, §6-15-215.

Citation, §6-15-201.

Combination of high school programs
in adjoining districts, §6-15-207.

Course considered taught under
certain circumstances, §6-15-213.

Development of rules and standards,
§6-15-202.

Failure to meet minimum standards.

Annexation of noncomplying district
to complying district, §6-15-207.

Appeals, §6-15-203.

Notification of failure, §6-15-203.

Probationary status schools,
§6-15-208.

Publication and dissemination of
probationary status schools,
§6-15-208.

Rulemaking authority, §6-15-209.

Subsequent failures, §6-15-206.

Assistance in achieving
compliance, §6-15-206.

Periodic review of school districts,
§6-15-206.

SCHOOLS AND EDUCATION

—Cont'd

Quality education act —Cont'dFlexibility in awarding course credit,
§6-15-216.

Rules.

Process of identifying failing schools
and school districts, §6-15-209.

Rules and standards, §6-15-202.

Short title, §6-15-201.

Subject matter competency as basis for
award of course credit, §6-15-216.

Title of subchapter, §6-15-201.

Waiver of standard for accreditation,
§6-15-202.**Questionnaires administered in
school, parental authorization.**

Definitions, §6-18-1302.

Requirements, §6-18-1303.

Title of provisions, §6-18-1301.

Reading skills of student.Educational support and
accountability act.School-level improvement plans,
literacy plan requirement,
§6-15-2914.Program to improve, in-service
training of teachers, §6-17-701.Public school student progression
reports.Reading level of student to be
included, §6-15-2006.Scientific reading instruction,
§6-17-429.**Real property.**

School districts.

Authority to own and convey,
§6-21-108.Purchase of surplus government
property, §6-13-110.Sale of lands donated by state,
§6-13-105.**Recess.**

Requirements, §6-16-102.

Records.

Attendance records.

Manner of keeping, §6-18-213.

Teachers to maintain attendance
records, §6-18-217.

Cooperatives, §6-13-906.

Education funds for children with
disabilities or foster children.

Confidentiality of records, §6-20-510.

Education service cooperatives.

Employment practices, §6-13-1020.

Graduation.

School districts to keep records of
students leaving school without
graduating, §6-18-214.**SCHOOLS AND EDUCATION**

—Cont'd

Records —Cont'd

Military recruiters.

Directors of districts to permit equal
access to records, §6-13-626.

School districts.

Meetings of directors, §6-13-619.

School lunch program.

Rules for maintaining records,
§6-20-704.

State board of education.

Record of proceedings, §6-11-111.

Student records.

Maintenance of permanent records,
§6-18-901.

Uniform system of records.

State board to prescribe, §6-11-110.

Registered volunteers program,

§§6-22-101 to 6-22-108.

Applicability of provisions, §6-22-107.

Construction of provisions, §6-22-108.

Definitions, §6-22-103.

Legislative findings, §6-22-101.

Optional program authorized,
§6-22-104.

Sovereign immunity, §6-22-106.

Title, §6-22-102.

Volunteers, requirements, §6-22-105.

Registration.Expulsion of child from other schools,
§6-18-208.**Reimbursement of expenses.**

Ethics.

Effect of chapter, §6-24-108.

Religion.Day of prayer for Arkansas students,
§6-10-135.

Teachers.

Religious clothing.

Authorized to wear, §6-17-108.

Rent.Division of elementary and secondary
education buildings, §6-10-112.**Repair of academic facilities.**Academic facilities catastrophic
program.Damage due to act of God,
§6-20-2508.Custodial, maintenance, repair and
renovation manual.Academic facilities program,
§6-21-808.**Repayment of loans to public school
fund,** §6-20-225.**Report cards,** §6-15-903.**Reports.**

Academic support centers, §6-13-1612.

SCHOOLS AND EDUCATION

—Cont'd

Reports —Cont'd

- ACT assessment program, §6-18-1608.
- Alternative learning environments, §6-48-104.
- District reporting, §6-48-102.
- Athletic expenditures for interschool athletic programs, §6-20-2003.
- Attendance.
 - Failure to file report, §6-18-213.
 - False attendance reports, §6-18-219.
 - Penalty, §6-18-219.
 - Filing of report on attendance, §6-18-213.
- Official reporting period for attendance, §6-18-213.
- Automated external defibrillators, §6-10-122.
- Computer network (APSCN).
 - Use for district reports, §6-11-128.
- Cooperatives, §6-13-906.
- Dyslexia and related learning disorders.
 - Reporting on screening by school district, §6-41-606.
- Educational financial accounting and reporting act of 2004.
 - Budget of expenditures report, §6-20-2202.
- Education service cooperatives, §6-13-1020.
- Evaluations, §6-13-1021.
- Efficiency in reporting, §6-10-129.
- Electronic signatures, §6-10-129.
- Exceptional children.
 - Average daily attendance, §6-41-312.
 - Disabilities, children with, §6-41-223.
 - Gifted and talented children, §§6-42-102, 6-42-109.
- Medicaid billing.
 - School districts underperforming in direct-service Medicaid billing, §6-10-119.
- Eye and vision screenings and eye examinations for students, §§6-18-1501, 6-18-1503.
- Commission on eye and vision care of school-age children, §6-18-1803.
- Financial management data.
 - Computer network, §6-11-128.
- Graduation.
 - Students leaving without graduating, §6-18-214.
- Immunization.
 - Exceptions granted, §6-18-702.

SCHOOLS AND EDUCATION

—Cont'd

Reports —Cont'd

- Insurance.
 - Buildings, contents and other property, §6-20-1515.
- Medicaid billing.
 - School districts underperforming in direct-service Medicaid billing, §6-10-119.
- Military child school transitions act of 2021 for students changing school districts.
 - Reporting of enrollments, §6-28-117.
- Motor vehicle insurance.
 - Reporting requirements, §6-21-704.
- Nurses in schools, reporting by school districts, §6-18-709.
- Public education reorganization act.
 - Annexation and consolidation, §6-13-1611.
- Reporting student drug abuse.
 - Immunity from civil liability, §6-17-107.
- Rewarding excellence in achievement program, §6-15-2609.
- School lunch program.
 - Rules for maintaining, §6-20-704.
- State board of education.
 - Annual report.
 - Printing and distribution, §6-11-111.
 - Required, §6-11-111.
 - Transmission to general assembly, §6-11-111.
 - Uniform system of records.
 - Reports to commissioner of elementary and secondary education, §6-11-110.
- Student drug abuse.
 - Reporting.
 - Immunity from civil liability, §6-17-107.
- Student management data.
 - Computer network, §6-11-128.
- Threats targeted at school.
 - Reports by mandated reporters, §6-18-110.
- Reprimands.**
 - Ethics violations.
 - Administrative remedies, §6-24-114.
- Resident and correspondence schools,** §§6-51-601 to 6-51-624.
- Resource officers,** §6-10-128.
- Teachers, recommendation of suspension.
 - Notice to school resource officer, §6-17-1508.

SCHOOLS AND EDUCATION

—Cont'd

Resource officers —Cont'dTeachers, recommendation of
termination.Notice to school resource officer,
§6-17-1507.**Restraint of students, §§6-18-2401 to
6-18-2409.**

Applicability of provisions, §6-18-2402.

Behavioral intervention, §6-18-2404.

Crisis intervention training program,
§6-18-2409.

Debriefing for incidents, §6-18-2407.

Definitions, §6-18-2403.

Documentation of incidents,
§6-18-2407.

Effect on other laws, §6-18-2402.

Functional behavior assessment
following an incident, §6-18-2405.Least restrictive techniques,
§6-18-2405.

Legislative findings, §6-18-2401.

Notice of incidents, §6-18-2407.

Physical restraint, use of, §6-18-2405.

Policies and procedures to be adopted,
§§6-18-2402, 6-18-2406.Positive behavioral supports,
§6-18-2404.

Prevention measures, §6-18-2404.

Problem-solving and intervention
teams, §6-18-2404.

Prohibited restraints, §6-18-2405.

School district responsibilities,
§§6-18-2402, 6-18-2406.

Supine restraint, use of, §6-18-2405.

Training of school personnel,
§6-18-2408.Crisis intervention training
program, §6-18-2409.**Revolving loan fund.**

Accounts.

Certificate proceeds account,
§6-20-907.

Applications.

Approval or disapproval, §6-20-805.

Contents, §6-20-804.

Delegation of powers and duties to
commissioner, §6-20-805.

Determination, §6-20-805.

Examination, §6-20-805.

Filing, §6-20-804.

Apportionment.

Withholding apportionment upon
default, §6-20-814.

Bond issues.

Amount of bonds.

Maximum amount, §6-20-1005.

SCHOOLS AND EDUCATION

—Cont'd

Revolving loan fund —Cont'd

Bond issues —Cont'd

Authorized, §6-20-1004.

Certificates of indebtedness,
§6-20-806.Collateral revolving loan bonds,
§6-20-905.Construction and interpretation,
§6-20-1002.

Contents of bonds, §6-20-1006.

Deposit of proceeds, §6-20-1010.

Designation of bonds, §6-20-1007.

Execution of bonds, §6-20-1009.

Issuance of bonds, §6-20-1007.

Maximum amount of bonds,
§6-20-1005.Pledged obligations and revenues,
§6-20-1011.

Pledge to secure bonds, §6-20-1011.

Purchase by state treasurer,
§6-20-1017.Resolution authorizing bond,
§6-20-1006.

Sale of bonds, §6-20-1008.

Deposit of proceeds, §6-20-1010.
Notice, §6-20-1008.

Signatures on bonds, §6-20-1009.

Special obligations of board,
§6-20-1011.State board of education bonds,
§6-20-1004.

Tax exemption, §6-20-1013.

Validation, §6-20-1012.

Certificates of indebtedness.

Certificate of approval by board of
education, §6-20-810.

Execution, §6-20-903.

Included provisions, §6-20-806.

Interest, §6-20-806.

Issuance in connection with loan
program authorized, §6-20-902.

Maturity, §6-20-806.

Negotiability, §6-20-810.

Not obligations of state, §6-20-904.

Obligations of state board only,
§6-20-904.Pledge to secure payment,
§6-20-807.

Proceeds.

Account, §6-20-907.

Purchase by state treasurer,
§6-20-1017.

Security, §§6-20-807, 6-20-904.

Signatures of chairman and
secretary, §6-20-903.

SCHOOLS AND EDUCATION

—Cont'd

Revolving loan fund —Cont'd

Certificates of indebtedness —Cont'd

Tax exemption of principal and interest, §6-20-908.

Teacher retirement board.

Purchase of certificates, §6-20-906.

Use of loan proceeds for retirement of outstanding commercial bonds, §6-20-807.

Validation of certificates, §6-20-1012.

Construction of act.

Liberal construction, §6-20-901.

Continuation, §6-20-801.

Defaults.

Apportionment withheld upon default, §6-20-814.

Deposit of interest and payments in state treasury, §6-20-812.

Education service cooperatives.

Loans to cooperatives, §6-20-818.

Fees.

Penalty for charging fees, §6-20-816.

Prohibited, §6-20-816.

Implementation of act, §6-20-901.

Interest.

Charges against revenues of school district, §6-20-813.

Securities held in revolving loan fund.

Deposit in state treasury, §6-20-812.

Jurisdiction.

State board of education, §6-20-801.

Maximum amount of loan.

Outstanding indebtedness determines, §6-20-803.

Obligations delivered to state board of education, §6-20-811.

Outstanding indebtedness determines maximum amount of loan, §6-20-803.

Principal and interest charge against revenues of school district, §6-20-813.

Prior loans.

Validation, §6-20-817.

Proceeds.

Use for retirement of outstanding bonds, §6-20-807.

Professional assistants.

Authority to engage and pay for, §6-20-1003.

Purposes of loan, §6-20-802.

SCHOOLS AND EDUCATION

—Cont'd

Revolving loan fund —Cont'd

Refunding bonds.

Authorized, §6-20-1015.

Creation of rights prohibited, §6-20-1016.

Issuance, §6-20-1015.

Sale, §6-20-1015.

Refunding obligations.

Authorized, §6-20-815.

Interest, §6-20-815.

Maturity, §6-20-815.

Security, §6-20-815.

Retirement systems.

Investment of retirement systems funds, §6-20-1014.

Taxation.

Loans secured by ad valorem tax levy, §6-20-808.

Loans secured by district sources other than ad valorem tax levy, §6-20-809.

Teacher retirement board.

Purchase of certificates, §6-20-906.

Warrants for the payment of money.

Obligations delivered to state board of education.

State warrants drawn on fund, §6-20-811.

Rewarding excellence in achievement program,
§§6-15-2601 to 6-15-2610.

Applications, §6-15-2605.

Construction with other state law, §6-15-2610.

Definitions, §6-15-2603.

Evaluation of participants, §6-15-2608.

Funding, §6-15-2609.

Legislative intent, §6-15-2602.

Plan contents, §6-15-2606.

Reporting, §6-15-2609.

Rules, §6-15-2604.

Selection process, §6-15-2605.

Short title, §6-15-2601.

Staff development, §6-15-2607.

Right to read act.

Scientific reading instruction, §6-17-429.

Rules.

Academic support centers, §6-13-1612.

ACT assessment program, §6-18-1607.

Advanced placement incentive program, §6-16-804.

Athletic program funds tracking, §6-20-2004.

SCHOOLS AND EDUCATION

—Cont'd

Rules —Cont'd

- Comprehensive plan for consistency and rigor in course work.
- Academic content standards and curriculum frameworks process, §6-15-1506.
- Critical needs minority teacher scholarship program, §6-82-1505.
- Distance learning demonstration project, §6-47-405.
- Dyslexia and related learning disorders.
 - Rules to implement provisions, §6-41-610.
- Early childhood and adult education act.
 - Powers of school districts not limited, §6-16-307.
- Education funds for children with disabilities or foster children.
 - Adoption by state board of education, §6-20-503.
- Education service cooperatives, §6-13-1013.
- Ethics.
 - Rulemaking authority, §6-24-119.
- Exceptional children.
 - Gifted and talented children, §6-42-102.
- Fiscal assessment and accountability program, §6-20-1911.
- Home-schooled students, §6-15-502.
- Nursing student loan program, §6-81-1412.
- Public education reorganization act.
 - Academic support centers, §6-13-1612.
- Quality education act.
 - Process of identifying failing schools and school districts, §6-15-209.
- Rewarding excellence in achievement program, §6-15-2604.
- Scholastic activity funds tracking, §6-20-2104.
- School districts.
 - Purchases of commodities, §6-21-303.
- Schoolhouses.
 - Construction aid, §6-20-1401.
- State board of education, §6-11-105.
- Textbooks.
 - Promulgation by state board, §6-21-404.
- Traveling teacher program, §6-13-808.
- Universal ACT assessment program, §6-18-1607.

SCHOOLS AND EDUCATION

—Cont'd

Safe schools committee, §6-15-1301.**Safe schools initiative act**, §6-15-1303.**Salutatorians.**

Qualifications, §6-18-101.

Scholarships.

Governor's scholars program, §§6-82-301 to 6-82-314.

Scholastic activity funds tracking, §§6-20-2101 to 6-20-2104.

Budget for expenditures, §6-20-2103.

Definitions, §6-20-2102.

Purpose of provisions, §6-20-2101.

Report, §6-20-2103.

Rules, §6-20-2104.

School buses.

Insurance of school vehicles, §§6-21-701 to 6-21-710.

School calendars.

Adoption of academic calendar, §6-10-106.

Alternate school calendar, §6-10-106.

School closings.

Alternative instruction plan for missed school days, §6-10-127.

Delayed start time or early release, §6-10-126.

Making up missed school days, §6-10-127.

School counseling improvement act of 2019, §§6-18-2001 to 6-18-2005.

Comprehensive school counseling program requirements, §6-18-2003.

Monitoring for compliance, §6-18-2005.

Comprehensive student services, §6-18-2004.

Definitions, §6-18-2002.

Monitoring for compliance, §6-18-2005.

Services to be provided by counselors, §6-18-2004.

Support system, §6-18-2005.

Title of provisions, §6-18-2001.

Youth mental health first aid training for counselors, §6-18-2004.

School day.

Defined, §6-16-102.

School elections, §§6-14-101 to 6-14-124.**School for mathematics, sciences and the arts**, §§6-42-301 to 6-42-310.**School for the Blind**, §§6-43-201 to 6-43-223.

SCHOOLS AND EDUCATION

—Cont'd

School for the Deaf, §§6-43-301 to 6-43-321.**School law.**

Title of act, §6-10-101.

School lunch menus and other foods sold in cafeterias.

School nutrition and physical activity advisory committee.

Recommendations to district, §6-20-709.

School lunch program.

Administration of program, §6-20-702.

Appropriations.

Authorized, §6-20-708.

Definitions, §6-20-701.

Distribution of excess food to students, §6-18-716.

Federal funds.

Expenditures, §6-20-703.

Gifts.

Acceptance, §6-20-706.

Hunger-free students' bill of rights act.

Discriminatory or shaming practices prohibited, §6-18-715.

Promoting nutritional education in schools.

Studies and appraisals by board, §6-20-705.

Records.

Rules for keeping records, §6-20-704.

School districts.

Defined, §6-20-701.

Use of funds, §6-20-707.

School lunch menus and other foods sold in cafeterias.

School nutrition and physical activity advisory committee.

Recommendations to district, §6-20-709.

State board of education.

Accounts.

Rules for keeping accounts, §6-20-704.

Administration of program, §6-20-702.

Deposit of funds received from federal government, §6-20-703.

Gifts.

Acceptance, §6-20-706.

Studies and appraisals by board, §6-20-705.

State funds.

Appropriation of state funds authorized, §6-20-708.

Surplus commodities.

Distribution in school lunch program, §6-21-104.

SCHOOLS AND EDUCATION

—Cont'd

School lunch program —Cont'd

Use of funds by school district, §6-20-707.

School of innovation, §§6-15-2801 to 6-15-2804.

Approval of public school as, §6-15-2802.

Definitions, §6-15-2801.

Designation of public school as, §6-15-2802.

Documentation required, §6-15-2803.

Duties, §6-15-2804.

Exemption from local policies and specific laws.

Request, §6-15-2804.

Period of approval, renewal, §6-15-2802.

Purposes, §6-15-2802.

Revocation of designation, §6-15-2802.

Rules to administer subchapter, §6-15-2802.

School council of innovation, §6-15-2801.

School of innovation application, §6-15-2803.

Vote by employees on question of designation, §6-15-2804.

School performance report act, §§6-15-1401, 6-15-1402.**School rating system.**

Applicability of rating, §6-15-2105.

Category levels for improvement.

Report to identify schools in, §6-15-2103.

Components of system, §6-15-2108.

Indicators considered, §6-15-2108.

Levels of improvement and performance identified on report, §6-15-2105.

Mobility studies, §6-15-2104.

Multiple measures approach, §6-15-2108.

Publication of rating, §6-15-2105.

Recognition program, §6-15-2107.

Reports of assessment programs, §6-15-2101.

Category levels for improvement.

Report to identify schools in, §6-15-2103.

Rules, §6-15-2106.

School recognition program, §6-15-2107.**School resource officers**, §6-10-128.

Teachers, recommendation of suspension.

Notice to school resource officer, §6-17-1508.

SCHOOLS AND EDUCATION

—Cont'd

School resource officers —Cont'd

Teachers, recommendation of termination.

Notice to school resource officer, §6-17-1507.

School safety.

Audits, safe schools initiative act, §6-15-1303.

Center for school safety of criminal justice institute.

Advisory board, §6-15-1305.

Confidentiality of emergency or security records or information, §6-15-1304.

Emergency operations and communications plans, §6-15-1302.

Panic button alert system, §6-15-1302.

School performance report act, §§6-15-1401, 6-15-1402.

School safety and crisis line.

ARSafeSchools, §§6-18-111, 6-18-112.

School safety assessments and**active shooter drills, §6-15-1303.****School term.**

Notice of beginning, §6-10-107.

School worker defense program,

§§6-17-1113, 6-17-1118.

Advisory board, §6-17-1118.

Employees covered, §6-17-1113.

Establishment, §6-17-1113.

School year.

Alternate school calendar, §6-10-106.

Extension beyond Memorial day, §6-10-106.

Twelve-month school year.

Authorized, §6-10-108.

Distribution of funds.

State board of education to establish guidelines, §6-10-108.

Guidelines for distribution of funds, §6-10-108.

Legislative intent, §6-10-108.

Purpose of act, §6-10-108.

Uniform date for beginning school year, §6-10-106.

School-year remediation program.

Mandatory participation for promotion, §6-16-705.

Program in lieu summer school, §6-16-704.

Sciences.

School for mathematics, sciences and the arts, §§6-42-301 to 6-42-310.

Scientific reading instruction,

§6-17-429.

SCHOOLS AND EDUCATION

—Cont'd

Seal, stamp, other symbol attached to transcripts and diplomas awarded high school students.

Completion of core curriculum with grade point average of 2.75, §6-15-1101.

Seals.

State board of education.

Official seal, §6-11-107.

Searches and seizures.

Concealing guns or drugs.

Confiscation without warrant, §6-21-608.

Hand-held laser pointers.

Student possession, §6-18-512.

Selective service registration,

§6-18-103.

Sex education.

Parental notice and consent requirements, §6-16-1006.

Sexual offenses.

Anonymous reporting by students.

ARSafeSchools, school safety and crisis line, §§6-18-111, 6-18-112.

Employees convicted of committing, §6-17-116.

Sexual orientation.

Parental notice and consent requirements, §6-16-1006.

Siblings.

Multiple birth siblings.

Classroom assignments of multiple birth siblings, §6-18-106.

School choice transfer.

Defined, §6-1-106.

Silence period, §6-10-115.**Site-based decision making,**

§§6-13-1301 to 6-13-1309.

Adoption of policy, §6-13-1303.

School district policy, §6-13-1305.

Alternative model, §6-13-1309.

Assistance by division of elementary and secondary education, §6-13-1308.

Authority.

Other authority granted by local board, §6-13-1307.

Definitions, §6-13-1302.

Division of elementary and secondary education.

Assistance, §6-13-1308.

Exemption from administrative structure.

Alternative model, §6-13-1309.

Grant of other authority by local board, §6-13-1307.

SCHOOLS AND EDUCATION

—Cont'd

Site-based decision making —Cont'd

Legislative intent, §6-13-1301.

Policy adoption, §6-13-1303.

School district policy, §6-13-1305.

Purpose of act, §6-13-1301.

School council.

Creation, §6-13-1304.

Duties generally, §6-13-1306.

Members, §6-13-1304.

Powers generally, §6-13-1306.

Smart Core curriculum, §6-18-1605.**Smoking.**

Prohibited in public schools, §6-21-609.

Snacks for students.Hunger-free students' bill of rights act,
§6-18-715.School lunch program, §§6-20-701 to
6-20-709.**Social security numbers of students.**Required for enrollment in public
schools, §6-18-208.Use by school districts, restrictions,
§6-18-208.**Social studies courses.**

Required contents, §6-16-148.

**Southern regional education
compact.**

Application by students, §6-4-106.

Approval by legislature, §6-4-102.

Board.

Contracts in cooperation with boards
of trustees of universities and
colleges and community
colleges, §6-61-402.

Colleges and universities.

Cooperation with board, §6-61-402.

Contracts for education out-of-state,
§6-4-105.Copy furnished states upon approval
by requisite number, §6-4-103.

Execution.

Governor authorized to execute,
§6-4-101.

Legislative approval, §6-4-102.

Qualifications of students, §6-4-106.

Text, §6-4-101.

University of Arkansas.

Board of trustees.

Disbursing agent for student
accepted under program,
§6-4-107.Payment for accepted students,
§6-4-105.Designation as state agent for
out-of-state education, §6-4-104.**Spring break**, §6-10-106.**SCHOOLS AND EDUCATION**

—Cont'd

Standards for accreditation.Quality education act, §§6-15-201 to
6-15-216.**Star-Spangled Banner act.**Playing of national anthem at schools
and school-sanctioned sporting
events, §§6-10-136, 6-60-116.**State foundation funding aid.**Public school funding act of 2003,
§§6-20-2301 to 6-20-2309.**Student crimes.**Duty to report and investigate,
§6-17-113.**Student identification badges.**Hotlines and other information to be
included, §§6-18-113, 6-60-118.**Student online personal information
protection act**, §6-18-109.**Student publications and
school-sponsored media**,

§§6-18-1201 to 6-18-1205.

Definitions, §6-18-1205.

Expression, students' right,
§6-18-1203.Immunity of school officials for student
expressions, §6-18-1203.

Policies to be written, §6-18-1202.

Prohibited publications, §6-18-1204.

Right of expression, §6-18-1203.

Short title, §6-18-1201.

Unauthorized publications, §6-18-1204.

Written policy, §6-18-1202.

**Subject matter competency as basis
for award of course credit**,

§6-15-216.

Substance abuse.

Anonymous reporting by students.

ARSafeSchools, school safety and
crisis line, §§6-18-111, 6-18-112.**Succeed scholarship program**,

§§6-41-901 to 6-41-908.

Amount of scholarship, §6-41-905.

Autonomy of participating schools,
§6-41-907.

Definitions, §6-41-901.

Duties of state board of education,
§6-41-906.

Effective date of program, §6-41-901.

Eligibility of private school, §6-41-903.

Eligibility of student, §§6-41-901,
6-41-902.

Funding of program, §6-41-905.

Legislative committee study of
program, §6-41-908.

Legislative intent, §6-41-901.

SCHOOLS AND EDUCATION

—Cont'd

Succeed scholarship program

—Cont'd

Lottery selection process for award of scholarship, §6-41-906.

Notice of school intent to participate, §6-41-903.

Private school eligibility, §6-41-903.

Autonomy of participating schools, §6-41-907.

Recipients of scholarships, responsibilities, §6-41-904.

Reporting requirements by schools, §6-41-903.

Rules adopted by board of education, §6-41-906.

Standardized testing, statistical information to be provided to state board, §6-41-903.

Sudden cardiac arrest.

School procedures and staff training as to athletic activities, §§6-18-708, 6-18-713.

Suicide.

Anonymous reporting by students.

ARSafeSchools, school safety and crisis line, §§6-18-111, 6-18-112.

Counseling, referrals, medical care or other assistance for suicidal youths, §6-17-107.

Teachers, mental health awareness and teen suicide awareness and prevention professional development, §6-17-708.

Summer school programs.

Authorized, §6-16-702.

Fees, §6-16-702.

Legislative intent, §6-16-701.

Nonresident students, §6-16-706.

Positive youth development grant program, §§6-5-901 to 6-5-906.

School-year remediation in lieu of summer school program, §6-16-704.

Sunscreen use by students, §6-18-714.**Superintendents.**

Employment, §6-17-301.

Ethics, §6-24-106.

Restrictions on employment, §6-24-111.

Falsifying attendance records.

Revocation of license, §6-17-407.

Immunity from liability for enforcing policy compliant with state or federal law, §6-10-131.

Licenses.

Mentoring program, §6-17-427.

SCHOOLS AND EDUCATION

—Cont'd

Superintendents —Cont'd

Licenses —Cont'd

Revocation, §6-17-406.

Suspension or expulsion of students, §6-18-507.

Training for school board members.

Superintendent's report, §6-13-629.

Surplus commodities.

School lunch program.

Distribution in program, §6-21-104.

Suspension of student, §6-18-507.**Tablets.**

School discipline policy and exemptions concerning possession and use by students of personal electronic devices.

School district may establish, §6-18-515.

Talented children.

Exceptional children.

Gifted and talented children, §§6-42-101 to 6-42-109.

Taxation.

Elections.

Consolidation, annexation or merger of districts.

Tax millage, §6-14-122.

Revolving loan fund.

Loans secured by ad valorem tax levy, §6-20-808.

Loans secured by district sources other than ad valorem tax levy, §6-20-809.

School districts.

Remittance of local taxes to school district treasurer, §6-13-701.

Technology curriculum.

Courses of study, §6-16-139.

Technology training center.

Education service cooperatives, §6-13-1023.

Telecommunications.

Distance learning demonstration project, §§6-47-201 to 6-47-304.

Distance learning development project, §§6-47-401 to 6-47-406.

Television, §§6-3-101 to 6-3-113.**Terrorism.**

Emergency operations and communications plans, §6-15-1302.

Panic button alert system, §6-15-1302.

Tests.

American College Test assessment.

Universal ACT assessment program, §§6-18-1601 to 6-18-1608.

SCHOOLS AND EDUCATION

—Cont'd

Tests —Cont'd

- Educational support and accountability act.
- Statewide student assessment system, §6-15-2907.
- Analysis of results, §6-15-2908.
- English learners, use of scores on statewide assessments for accountability purposes, §6-10-130.
- Public access to tests and scores, §6-15-2909.
- Student performance levels, §6-15-2910.

High school equivalency diploma testing for adults, §6-16-118.

Home-school students.

- Annual achievement tests, §6-15-504.

Threats targeted at school.

- Reports by mandated reporters, §6-18-110.

Time.

- Alternate school calendar, §6-10-106.
- Beginning of school year.
- Uniform date, §6-10-106.
- Fiscal year, §6-20-410.
- School elections.
- Date of annual election, §6-14-102.
- School year.
- Extension beyond Memorial day, §6-10-106.

Tobacco use, §6-21-609.**Tornado safety drills, §6-10-121.****Transportation.**

- Choice of public schools.
- Responsibility for transportation costs, §6-18-227.
- Commission for Arkansas public school academic facilities and transportation, §§6-11-116, 6-21-114.
- Division of public school academic facilities and transportation, §§6-21-112, 6-21-115.
- Regional community alternative learning environment centers.
- Funding for school district transporting students attending, §6-11-210.

Traveling teacher program, §6-13-808.**Treasurers.**

- Federal aid.
- State treasurer designated as trustee, §6-11-113.

SCHOOLS AND EDUCATION

—Cont'd

Trespass.

- Disturbance created by persons not students.
- Penalty, §6-21-606.

Truancy.

- Additional truancy officers for school district with high dropout rate.
- Funding for, §6-11-209.
- Attendance, §§6-18-201 to 6-18-233.
- Community truancy board, §§6-18-225, 6-18-226.
- Home school students.
- Nonparticipation in testing program, §6-15-503.

Trust fund for educational excellence, §§6-5-301 to 6-5-308.**Tuition agreements with**

nonresident school districts.

- Students participating in, §6-18-202.

Turnback funds, §6-20-224.**Tutoring corps, §§6-15-3101 to 6-15-3104.**

- Definitions, §6-15-3103.
- Duties of department, §6-15-3104.
- Legislative intent, §6-15-3102.
- Program, §6-15-3104.
- Title of provisions, §6-15-3101.

Underwear.

- Clothes exposing to view.
- Discipline policy contents, §6-18-503.

Uniform budget and accounting system.

- School finance.
- Educational financial accounting and reporting, §§6-20-2201 to 6-20-2210.

Uniform dress code in public schools, §6-18-102.**United States citizenship civics test, required for high school diploma, §6-16-149.****Universal ACT assessment program, §§6-18-1601 to 6-18-1608.****University of Arkansas, §§6-64-101 to 6-64-1013.****University of Central Arkansas, §§6-67-101 to 6-67-114.****Unsafe school choice program.**

- Transfer of victim of violent offense to safe public school, §6-18-320.

Valedictorians.

- Qualifications, §6-18-101.

Veterans.

- Korean War veterans.
- Awarding high school diploma for honorable service, §6-16-134.

SCHOOLS AND EDUCATION

—Cont'd

Veterans —Cont'd

Vietnam War veterans.

Awarding high school diploma for honorable service, §6-16-134.

World War II veterans.

Awarding high school diploma for honored service, §6-16-133.

Violations.

Violation of school law when no specific penalty provided, §6-10-102.

Virtual or remote learning.

Driving privileges, suspension for unexcused absences, §6-18-222.

Military child school transitions act of 2021 for students changing school districts.

Virtual coursework, enrollment in, §6-28-109.

Policy for how attendance records to be kept, §6-18-213.

Vision screening.

Eye and vision screenings and eye examinations for students, §§6-18-1501 to 6-18-1506.

Commission on eye and vision care of school-age children, §§6-18-1801 to 6-18-1803.

Visually impaired students,

§§6-41-401 to 6-41-407.

Vital statistics.

Certificates of birth.

Pupils.

Presentation required, §6-18-208.

Vocational or technical course awards, §6-16-140.**Waiver.**

Beginning of school year.

Request for waiver, §6-10-106.

Open-enrollment public charter school drawing students from school district.

Petition for waivers granted to, §6-15-103.

Warrants for the payment of money.

School districts.

Authority to draw warrants, §6-20-403.

Bonded debt.

Description, §6-20-404.

Recording by treasurer before cashing, §6-20-404.

Required, §6-20-404.

Issuance of warrant to pay bond, §6-20-404.

SCHOOLS AND EDUCATION

—Cont'd

Warrants for the payment of money

—Cont'd

School districts —Cont'd

Cashing warrants without description.

Liability of treasurer and bondsmen, §6-20-404.

Countersignatures required, §6-20-403.

Energy savings contract, §6-20-405.

Improperly drawn warrants.

Liability, §6-20-402.

Liability of treasurer and bondsmen, §6-20-404.

Petty cash fund.

Invoices, §6-20-409.

Limitations, §6-20-409.

Payments from fund stop until supplies delivered, §6-20-409.

Postdated warrants, §6-20-402.

Water bottle filling stations,

§6-21-119.

Weapons.

Civil War reenactors carrying weapons on school property, §6-5-501.

Concealing guns.

Confiscation without warrant, §6-21-608.

Definitions, §6-21-608.

Discipline, §6-21-608.

Evidence.

Admissibility, §6-21-608.

School officials.

Defined, §6-21-608.

School-owned property.

Defined, §6-21-608.

School premises.

Defined, §6-21-608.

Supervisors.

Defined, §6-21-608.

Unlawful, §6-21-608.

Workers' compensation.

Employees.

Coverage, §6-17-1401.

Exclusive jurisdiction vested in workers' compensation commission, §6-17-1402.

Forms, §6-17-1404.

Notification of award, §6-17-1405.

Reports.

Filing of report by school district officials, §6-17-1404.

Rulemaking power vested in commission, §6-17-1402.

Transfer of available federal funds, §6-17-1405.

SCHOOLS AND EDUCATION

—Cont'd

Workers' compensation —Cont'd

- School district employees.
- Insurance carriers, §6-17-1413.
- Liability, §6-17-1411.
- Responsibility, §6-17-1412.

SCHOOL VIOLENCE.

Duty to report and investigate,
§6-17-113.

**SCHOOL WORKER DEFENSE
PROGRAM, §§6-17-1113, 6-17-1118.**

**SCIENCE, TECHNOLOGY,
ENGINEERING AND MATH
FUND.**

**Supplemental grants, §§6-17-2701 to
6-17-2704.**

**SEALS AND SEALED
INSTRUMENTS.**

Education.

- State board of education.
- Official seal, §6-11-107.

**Vocational education and
rehabilitation.**

- State board.
- Official seal, §6-11-107.

SEARCHES AND SEIZURES.**Education.**

- Concealing guns or drugs.
- Confiscation without warrant,
§6-21-608.

SEARCH WARRANTS.**Education.**

- Concealing guns or drugs on school
owned property.
- Confiscation without warrant,
§6-21-608.

Schools.

- Concealing guns and drugs in school
property.
- Confiscation without warrant,
§6-21-608.

SEAT BELTS.**School buses.**

- Passenger restraint systems,
§§6-19-117, 6-19-130.

SECONDHAND SMOKE.**Colleges and universities.**

- Clean air on campus, §§6-60-801 to
6-60-807.

SECRETARY OF STATE.**Fees.**

- International student exchange visitor
placement organizations.
- Registration, §6-18-1706.

SECRETARY OF STATE —Cont'd

**International student exchange
visitor placement organizations.**

- Fees for registration, §6-18-1706.
- Rulemaking, §6-18-1705.

SENIOR CITIZENS.**Colleges and universities.**

- Waiver of general student fee charges,
§6-60-204.

**SERVICE OF NOTICE, PROCESS
AND OTHER PAPERS.**

Colleges and universities.

- Improvement districts.
- Assessments.
- Liens, actions to enforce,
§6-71-123.
- Constructive service, §6-71-124.

Constructive service.

- Colleges and universities.
- Improvement districts.
- Assessment liens.
- Actions to enforce, §6-71-124.

University of Arkansas.

- Board of trustees.
- Removal of members.
- Charges brought against
members, §§6-64-204,
6-64-205.

SEX OFFENSES.**Colleges and universities.**

- Sexual assault action plan to address
prevention of sexual assault,
§6-60-111.

Education.

- Employees convicted of committing,
§6-17-116.
- Home schooling prohibited in home
with registered sex offender,
§6-15-508.

**Home schooling prohibited in home
with registered sex offender,**
§6-15-508.

School districts.

- Employees convicted of committing,
§6-17-116.

Teachers.

- Employees convicted of committing,
§6-17-116.

SEXUAL ASSAULT.**Colleges and universities.**

- Sexual assault action plan to address
prevention of sexual assault,
§6-60-111.

SIBLING.**School choice transfer.**

- Definition of sibling, §6-1-106.

SICK LEAVE.**University and college employees.**

Catastrophic leave bank program,
§§6-63-601, 6-63-602.

SICKLE CELL ANEMIA.**University of Arkansas for medical sciences.**

Adult sickle cell clinic, §6-64-419.
Adult sickle disease program,
§6-64-420.

SIGNATURES.**Technical or community college capital improvement bonds,**
§6-61-1006.**SIGN LANGUAGE.****Colleges and universities.**

American sign language as foreign
language, §6-61-125.

Public schools.

American sign language.
Taught as modern or foreign
language, §6-16-142.

SIGNS.**Colleges and universities.**

Clean air on campus.
Prohibition of smoking.
Notice by means of "no smoking"
signs, §6-60-805.

SISTERS.**School choice transfer.**

Definition of sibling, §6-1-106.

Schools and education.

Multiple birth siblings.
Classroom assignment of multiple
birth siblings, §6-18-106.

SITE-BASED DECISION MAKING.**Education,** §§6-13-1301 to 6-13-1309.**SKIN CANCER.****Schools and education.**

Sunscreen use by students, §6-18-714.

SMOKING.**Colleges and universities.**

Clean air on campus, §§6-60-801 to
6-60-807.

Education.

Prohibited in public schools, §6-21-609.
Exception as to designated areas,
§6-21-609.

SOCIAL MEDIA.**Colleges and universities.**

Social media accounts of prospective or
current employees or students.
Restrictions on use, §6-60-104.

SOCIAL SECURITY.**Colleges and universities.**

Restrictions on use of social security
number, §6-61-128.

Numbers.

Elementary or secondary school
students.
Use by school districts, restrictions,
§6-18-208.

SOCIAL SECURITY NUMBERS.**Elementary or secondary school students.**

Use by school districts, restrictions,
§6-18-208.

SORORITIES.**Fraternities generally,** §§6-18-601 to
6-18-607.**SOUTH ARKANSAS COMMUNITY COLLEGE.****Arkansas heavy equipment operator training academy.**

Establishment of satellite center,
§§6-61-531 to 6-61-533.

Heavy equipment operator training academy, §§6-61-531 to 6-61-533.**Housing allowance for president,**
§6-61-525.**SOUTHEAST ARKANSAS COLLEGE.****Priorities,** §6-61-534.**SOUTHERN ARKANSAS**

UNIVERSITY, §§6-65-401 to
6-65-413.

Appropriations, §6-65-408.**Arkansas environmental training academy,** §6-65-411.**Board of trustees.**

Appeals.
Removal of members, §6-65-401.
Appointment, §6-65-401.
Acceptance of appointment,
§6-65-401.
Certificate of appointment,
§6-65-401.
Composition, §6-65-401.
Disqualification of certain officials,
§6-65-401.

Duties.

Generally, §6-65-402.
El Dorado branch.
Powers and duties as to, §6-65-406.
Filling vacancies, §6-65-401.
Oaths, §6-65-401.

Penalty for violation, §6-65-401.

Powers.

Generally, §6-65-402.
Qualifications, §6-65-401.

SOUTHERN ARKANSAS**UNIVERSITY —Cont'd****Board of trustees —Cont'd**

Removal of members, §6-65-401.

SAU Tech.

Powers and duties, §6-65-404.

Terms of members, §6-65-401.

Vacancies.

Filling, §6-65-401.

El Dorado Branch, §6-65-406.

Advisory committee, §6-65-407.

Appointment of members, §6-65-407.

Composition, §6-65-407.

Duties, §6-65-407.

Expenses of members, §6-65-407.

Terms of members, §6-65-407.

Authorized, §6-65-406.

Chancellor.

Housing allowance, §6-65-410.

Housing allowance.

Chancellor of branch, §6-65-410.

Eminent domain, §6-65-403.Action brought in name of state,
§6-65-403.

Appeals, §6-65-403.

Board of trustees.

Resolution, §6-65-403.

Prosecuting attorneys.

Duty, §6-65-403.

Environmental training academy,

§6-65-411.

SAU Tech.

Environmental control center.

Renamed to Arkansas
environmental training
academy, §6-65-411.

Fire training academy.

Transfer of appropriations,
§6-65-412.Housing allowance for chancellor,
§6-65-409.Operation as technical division of
Arkansas University, §6-65-404.**University of Arkansas.**Division of agriculture, §§6-64-701 to
6-64-718.**Veterinary medicine, school of,**

§6-65-413.

SOUTHERN REGIONAL**EDUCATION COMPACT,**

§§6-4-101 to 6-4-107.

SPECIAL EDUCATION.**Average daily attendance.**

Reports, §6-41-312.

Behavioral disabilities.Other state's determination that child
eligible for services due to,
§6-41-104.**SPECIAL EDUCATION —Cont'd****Board.**

Contracts for services, §6-41-313.

Contracts.Services for exceptional children,
§6-41-313.

Local and county boards, §6-41-313.

Disabilities, children with.Additional special services in
nonpublic schools, §6-41-101.

Admission to special services.

Eligibility requirements, §6-41-214.

Advisory council.

Appointment, §6-41-211.

Composition, §6-41-211.

Applicability of provisions, §6-41-202.

Approval of facilities, §6-41-212.

Behavioral disabilities.

Other state's determination that
child eligible for services due to,
§6-41-104.

Board.

Providing of educational programs,
§6-41-207.State agency to receive and disburse
federal funds, §6-41-221.

Change of child's status, §6-41-216.

Citation of act, §6-41-201.

Classes.

Joint classes between school
districts, §6-41-220.

Contracts.

Authority of board to contract for
services, §6-41-208.

Definitions, §6-41-203.

Individual education plan,
§6-41-217.

Diagnostic services.

Providing, §6-41-209.

Eligibility requirements.

Determination, §6-41-214.

Evaluation of children, §6-41-215.

Confidentiality of results, §6-41-218.

List of children examined,
§6-41-218.

Expenditures.

Equality in expenditures, §6-41-220.

Extended year program, §6-41-102.

Facilities.

Approval, §6-41-212.

Federal funds.

Board designated as state agency to
receive, §6-41-221.Plans and procedure for
disbursement, §6-41-221.

Funds, §§6-20-501 to 6-20-510.

Hearings.

Change of child's status, §6-41-216.

SPECIAL EDUCATION —Cont'd**Disabilities, children with —Cont'd**

Individual education plan, §6-41-217.

Least restrictive environment,
schooling in, §6-41-204.

Legislative declaration, §6-41-202.

Legislative intent, §6-41-205.

Policy of state, §6-41-202.

Program of education.

Duties of board, §6-41-207.

Providing for education, §6-41-205.

Reports, §6-41-223.

Authority of board to require,
§6-41-207.

Responsibility of school districts,
§6-41-206.

Rules.

Promulgation, §6-41-207.

School districts.

Joining together to establish classes,
§6-41-220.

Short title of act, §6-41-201.

Term of office, §6-41-211.

Duties, §6-41-211.

Qualifications of members,
§6-41-211.

Vacancies in office, §6-41-211.

Testing of children, §6-41-215.

List of children tested, §6-41-218.

Results confidential, §6-41-218.

**Division of elementary and
secondary education special
education unit, §6-41-210.**

**Early education for children with
hearing defects.**

Additional special services in
nonpublic schools, §6-41-101.

Expenditures.

Accounts, §6-41-312.

Extended year program.

Division of elementary and secondary
education authorized to develop
guidelines, §6-41-102.

Gifted and talented children.

Advisory council, §6-42-104.

Appointment of members, §6-42-104.

Composition, §6-42-104.

Duties, §6-42-104.

Established, §6-42-104.

Expenses of members, §6-42-104.

Number of members, §6-42-104.

Officers, §6-42-104.

Cooperation with other agencies,
§6-42-107.

Division of elementary and secondary
education.

Disbursing agency for federal funds,
§6-42-105.

SPECIAL EDUCATION —Cont'd**Gifted and talented children —Cont'd**

Division of elementary and secondary
education —Cont'd

Office for the education of gifted and
talented children.

Generally, §6-42-103.

Eligibility for programs, §6-42-106.

Federal aid.

Disbursing agency for federal funds,
§6-42-105.

Funding of programs, §6-42-106.

Summer residential and day
programs, §6-42-108.

Legislative declaration.

Policy of state, §6-42-101.

Office for the education of gifted and
talented children.

Administrator, §6-42-103.

Established, §6-42-103.

Policy of state, §6-42-101.

Reports, §6-42-102.

School districts, §6-42-109.

Rules, §6-42-102.

State board of education.

Cooperation with other agencies,
§6-42-107.

Powers, §6-42-102.

Rules, §6-42-102.

Summer residential and day
programs, §6-42-108.

**Identification of children with
disabilities, §6-41-103.**

Medicaid billing.

Report of school districts
underperforming in direct-service
Medicaid billing, §6-10-119.

**Military child school transitions act
of 2021 for students changing
school districts.**

Special education services, provision,
§6-28-113.

Reports.

Average daily attendance, §6-41-312.

Gifted and talented children,
§§6-42-102, 6-42-109.

Medicaid billing.

School districts underperforming in
direct-service Medicaid billing,
§6-10-119.

Rules.

Gifted and talented children,
§6-42-102.

Sensory processing difficulty.

Accommodation for students with,
§6-41-407.

Visually impaired students.

Assessment of student progress,
§6-41-403.

SPECIAL EDUCATION —Cont'd**Visually impaired students —Cont'd**

Braille instruction, §6-41-404.

Compliance with act required,
§6-41-406.

Definitions, §6-41-402.

Electronic textbooks, §6-41-405.

General provisions, §§6-41-401 to
6-41-407.

Legislative findings, §6-41-401.

Scope of act, §6-41-401.

Sensory processing difficulty.

Accommodation for students with,
§6-41-407.

Student progress, §6-41-403.

Textbooks generally, §6-41-405.

Violations of act, §6-41-406.

SPORTS.**Colleges and career coaches
program, §§6-1-601 to 6-1-605.****Colleges and universities.**Athletic programs, §§6-62-801 to
6-62-807.

Fairness in women's sports act.

School sports teams to be based on
biological sex, §6-1-107.**Concussions.**

Youth athlete activities.

Development of concussion protocols,
§6-18-710.**Fairness in women's sports act.**School sports teams to be based on
biological sex, §6-1-107.**Schools and education.**

Concussions.

Development of concussion protocols,
§6-18-710.

Fairness in women's sports act.

School sports teams to be based on
biological sex, §6-1-107.

Sudden cardiac arrest.

School procedures and staff training
as to athletic activities,
§§6-18-708, 6-18-713.**Sudden cardiac arrest.**School procedures and staff training as
to athletic activities, §§6-18-708,
6-18-713.**STAR-SPANGLED BANNER ACT.****Playing of national anthem at
schools and school-sanctioned
sporting events, §§6-10-136,
6-60-116.****STATE BOARD OF EDUCATION.****Administrative rules.**Financial impact statements,
§6-11-132.**STATE BOARD OF EDUCATION**

—Cont'd

Adult education charter schools.

Rules, §6-23-1008.

Appointment of members, §6-11-101.**Assessment coordination division.**

Information sharing, §6-1-105.

**Assumption of authority over school
district.**

Responsibilities, §6-13-112.

Automated external defibrillators.

Promulgation of rules, §6-10-122.

Training programs, §6-10-123.

**Charter schools, §§6-23-101 to
6-23-1008.****Children in institutions.**

Educational programs.

Authority of board, §6-11-120.

**Commissioner of elementary and
secondary education, §6-11-102.**Assumption of authority of school
district.

Responsibilities, §6-13-112.

Ex officio secretary of board, §6-11-103.

**Commission on closing the
achievement gap in Arkansas,
§§6-15-1601, 6-15-1603.****Compensation of members, §6-11-101.****Comprehensive plan for consistency
and rigor in course work,
§§6-15-1502 to 6-15-1506.****Contracts.**

Children in institutions.

Contracts for educational services,
§6-11-120.

Special contracts, §6-11-115.

**Coordination of state and federal
laws, §6-11-112.****Core curriculum, §6-15-1101.****Disposition of public property.**

Rulemaking authority, §6-21-110.

Duties, §6-11-105.**Educational support and
accountability act.**Districts under authority of state
board, duties, §6-15-2917.

Duties of state board, §6-15-2905.

Intensive support (level 5)
classification of school district.State board of education authority
over district, §6-15-2916.Return of district to local control,
§6-15-2917.**Education service cooperatives.**

Fiscal distress.

Appeal to state board, §6-13-1031.

Policies, rules, §6-13-1013.

Expenses of members, §6-11-101.

STATE BOARD OF EDUCATION

—Cont'd

Federal aid.

Designation of board as state educational authority, §6-11-113.

Federal laws.

Power to make plans coordinating state and federal laws, §6-11-112.

High school diploma, reengagement system and differentiated pathway to.

Rulemaking to implement program, §6-16-1506.

History textbook.

Publication and offer for sale, §6-20-205.

Home-schooled students.

Rules, §6-15-502.

Meetings.

Called meetings, §6-11-104.

Regular meetings, §6-11-104.

Special meetings, §6-11-104.

Number of members, §6-11-101.**Officers, §6-11-103.****Powers, §6-11-105.****Public school student progression.**

Authority of state board, §6-15-2007.

Public works contracts.

Rulemaking authority, §6-21-109.

Qualifications of members, §6-11-101.**Records.**

Proceedings, §6-11-111.

Uniform system of records, §6-11-110.

Removal of members, §6-11-101.**Reports.**

Annual report, §6-11-111.

Printing and distribution, §6-11-111.

Transmission to general assembly, §6-11-111.

Transmission of annual report to general assembly, §6-11-111.

Representation of state, §6-11-113.**Rules, §6-11-105.**

Adult education charter schools, §6-23-1008.

Automated external defibrillators, §6-10-122.

Training programs, §6-10-123.

Disposition of public property, §6-21-110.

High school diploma, reengagement system and differentiated pathway to.

Rulemaking to implement program, §6-16-1506.

Public works contracts, §6-21-109.

School buses, §§6-19-111, 6-19-114.**STATE BOARD OF EDUCATION**

—Cont'd

School districts.

Annexation and consolidation.

Appeal of adverse agency decision, §6-13-1410.

Boundary change by state board of education, §6-13-1414.

Duties, §6-13-1409.

Involuntary, upon motion of state board, §6-13-1415.

Prior consent and approval, §6-13-1402.

Assumption of authority over school district.

Responsibilities, §6-13-112.

Compacts.

Submission to state board, §6-13-804.

Seal.

Official seal, §6-11-107.

Secretaries.

Ex officio secretary, §6-11-103.

Takeover of school district.

Authority of board, §6-11-105.

Teacher of the year as nonvoting member, §6-17-2506.**Terms of members, §6-11-101.****Vacancies, §6-11-101.****STATE POLICE.****Colleges and universities.**

Tuition reduction, §6-60-213.

STATE TEACHER EDUCATION PROGRAM, §§6-81-1601 to 6-81-1606.**STATE TECHNICAL INSTITUTE, §§6-65-217, 6-65-220.****STATUTE OF LIMITATIONS.****Colleges and universities.**

Fairness in women's sports act.

School sports teams to be based on biological sex, §6-1-107.

Forming open and robust university minds (FORUM) act.

Remedies for violations, §6-60-1010.

Fairness in women's sports act.

School sports teams to be based on biological sex, §6-1-107.

Forming open and robust university minds (FORUM) act.

Remedies for violations, §6-60-1010.

University of Arkansas.

Revolving loan fund.

Defenses invalid, §6-81-407.

STUDENT FINANCIAL AID.**Academic support scholarship, §6-82-108.**

STUDENT FINANCIAL AID —Cont'd**Anti-stacking provision**, §6-80-105.**Arkansas student loan board.**

Abolished, §6-81-202.

Audits.

Guarantee foundation.

Annual audit, §6-81-206.

Bonds, surety.

Disbursing officer, §6-81-203.

Guarantee foundation.

Disbursing officer, §6-81-203.

Cost of attendance, aid not to exceed, §6-80-105.**Criminal conviction, effect on eligibility**, §6-82-107.**Disbursing officer.**

Bonds, surety, §6-81-203.

Electronic transcripts to process application, §6-80-107.**Essays required for institutional scholarships.**

Retention by institution, §6-80-108.

Guarantee foundation.

Administration of student loan provisions of federal laws, §6-81-201.

Audit.

Annual audit, §6-81-206.

Disbursing officer, §6-81-203.

Funds.

Administration of funds, §6-81-202.

Audits.

Annual audit, §6-81-206.

Use, §6-81-204.

Securities.

Sale, §6-81-205.

Use, §6-81-204.

Transfer of student loan fund to guarantee foundation, §6-81-202.

Higher education consumer guide, §6-61-1703.**Information to be made available by division of higher education**, §§6-60-1301 to 6-60-1305.**Nursing student loan program**, §§6-81-1401 to 6-81-1412.**Osteopathic rural medical practice student loans and scholarships**, §§6-81-1801 to 6-81-1817.**Professional schools.**

Tuition assistance for certain schools, §6-81-1101.

Repayment of tuition paid by state, §§6-81-1103, 6-81-1104.

Selective service act.

Compliance with required, §6-80-102.

Selective service registration, §6-80-104.**STUDENT FINANCIAL AID —Cont'd****Stacking of scholarships**, §6-80-105.**Teacher candidate loan forgiveness program**, §§6-81-1701 to 6-81-1706.**Teacher education program**, §§6-81-1601 to 6-81-1606.**Transcripts.**

Electronic transcripts to process application, §6-80-107.

United States.

Guarantee foundation.

Administration of student loan provisions of federal laws, §6-81-201.

Veterinary medicine students.

Loan repayment assistance program, §§6-81-1105, 6-81-1106.

STUDENT IDENTIFICATION CARDS.**Social security number.**

Use prohibited, §6-61-126.

STUDENT ONLINE PERSONAL INFORMATION PROTECTION ACT, §6-18-109.**SUBPOENA DUCES TECUM.****Private resident and correspondence schools**, §6-51-619.**SUBPOENAS.****Private resident and correspondence schools**, §6-51-619.**Teacher licensing.**

Powers of certain boards, §6-17-425.

SUBSTANCE ABUSE.**Counselors for alcoholism and drug abuse.**

Reporting student drug abuse.

Immunity from civil liability, §6-17-107.

Schools and education.

Anonymous reporting by students.

ARSafeSchools, school safety and crisis line, §§6-18-111, 6-18-112.

Teachers.

Reporting student drug abuse.

Immunity from civil liability, §6-17-107.

SUICIDE.**Colleges and universities.**

Mental health and suicide prevention services.

Information to be provided to students, §6-60-112.

SUICIDE —Cont'd**Jason Flatt act.**

Mental health awareness and teen suicide awareness and prevention professional development, §6-17-708.

Students or other suicidal youth.

Anonymous reporting by students.
 ARSafeSchools, school safety and crisis line, §§6-18-111, 6-18-112.
 Counseling, referrals, medical care or other assistance, §6-17-107.

SUNSCREEN.**Schools and education.**

Sunscreen use by students, §6-18-714.

SUPREME COURT OF ARKANSAS.**Colleges and universities.**

Improvement districts.
 Assessments.
 Actions to enforce lien.
 Appeals to supreme court, §6-71-136.

SURPLUS PROPERTY.**School districts.**

Purchase of government property, §6-13-110.

T**TABLETS.****School discipline policy and exemptions concerning possession and use by students.**

Personal electronic devices.
 School district may establish, §6-18-515.

TALENTED CHILDREN.**Charter schools.**

General provisions, §§6-23-101 to 6-23-1008.

TAMPONS.**Feminine hygiene products.**

Schools, availability at no charge, §6-18-717.

TAXATION.**Brighter future fund plan act, §§6-84-101 to 6-84-114.****Colleges and universities.**

Higher education technology and facility improvement.
 Tax exemption of bonds, §6-62-1117.
 Trust conveyances to state for higher learning institutions.
 Exemption from tax, §6-62-506.

TAXATION —Cont'd**Community colleges.****Districts.**

Ad valorem taxes, §6-61-517.
 Reduction or repeal, §6-61-519.

General operations.

Millage taxes, §6-61-602.
 Millage tax, §6-61-503.
 Motor vehicles used by schools exempt from taxes, §6-51-101.

Deaf, deaf or Hard of Hearing.

School for the Deaf.
 Property exempt from taxation, §6-43-302.

School buses.

Exemption from taxation, §6-19-112.

Tuition.

Brighter future fund plan act, §§6-84-101 to 6-84-114.

University of Arkansas.

Legal education fund.
 Bond issues.
 Exemption from tax, §6-64-614.

Vocational education and rehabilitation.**Districts.****Schools.**

Use of funds raised by taxation, §6-51-215.
 Motor vehicles used by schools exempt from taxes, §6-51-101.

Workforce development center authority act.

Financing of authority, §6-50-807.

TAX EXEMPTIONS.**School facilities funding act of 2007.**

Bonds, §6-20-2612.

TEACHER EDUCATION PROGRAM,

§§6-81-1601 to 6-81-1606.

TEACHER EXCELLENCE AND

SUPPORT SYSTEM, §§6-17-2801 to 6-17-2809.

TEACHER OF THE YEAR,

§§6-17-2501 to 6-17-2506.

Administrative leave of selected teacher.

Duties of school district, §6-17-2504.
 Duties of teacher, §6-17-2503.

Applicants, submission of names, §6-17-2503.**Definitions, §6-17-2502.****Division of elementary and secondary education responsibilities, §6-17-2505.****Nonvoting member of state board, §6-17-2506.**

TEACHER OF THE YEAR —Cont'd**Return to employment following leave period,** §6-17-2504.**Salary of teacher.**

Division of elementary and secondary education responsibilities, §6-17-2505.

School district responsibilities, §6-17-2504.**Selection process,** §6-17-2503.**Title of provisions,** §6-17-2501.**TEACHER RETIREMENT SYSTEM.****Board of trustees.**

Revolving loan fund.

Certificates of indebtedness.

Purchase by board, §6-20-906.

Professional development after retirement, §6-17-423.**Rehabilitation services.**

Eligibility of employees, §6-52-104.

TEACHERS.**Abusing or insulting teacher engaged in school responsibilities.**

Penalty, §6-17-106.

Advanced placement courses.

Teacher training, §6-16-1203.

Advanced placement incentive program.

Subsidized training, §6-16-804.

Agricultural colleges.

Districts.

Schools.

Compensation, §6-65-107.

Free transportation to faculty members, §6-65-108.

Graduates only to be employed as faculty.

Penalty, §6-65-107.

Alternative educator preparation programs, §6-17-409.

Eligibility for state teacher education program, §6-81-1605.

Loan repayments under state teacher education program, §6-81-1606.

Appeals.

Dismissal, §6-17-1510.

Arkansas history.

Professional development, §6-17-703.

Arkansas history in-service training, §6-17-418.**Arkansas teacher of the year,** §§6-17-2501 to 6-17-2506.**Assignment.**

Assignment and reassignment, §6-17-303.

TEACHERS —Cont'd**Assignment —Cont'd**

Student teachers, §6-17-305.

Attendance.

Compulsory attendance of students, §§6-18-201 to 6-18-233.

Attorneys at law.

Grievance.

Right to representation of choice, §6-17-210.

Audits.

Salaries.

Audits of accounts, §6-17-913.

Blind and visually impaired.

Teachers for visually impaired entering state service, §6-17-809.

Bullying of school employees.

Professional development for school personnel in bullying prevention, §6-17-711.

Prohibition, §6-18-514.

Charter schools.

Priority public school hiring.

Revocation of charter, §§6-23-205, 6-23-308.

Professional qualifications of employees, §6-23-306.

Transfer of public school teacher, §6-23-201.

Coaches.

Employment, §6-17-301.

Colleges and universities.

Religious clothing.

Authorization to act, §6-63-101.

Student teachers.

Contracts, §6-17-305.

Compensation program of 2003,

§§6-17-2401 to 6-17-2407.

Compulsory attendance, §§6-18-201 to 6-18-233.**Computers.**

Computer science teachers, §6-16-152.

Public education surplus computer loan program, §6-17-118.

Confidentiality of information.

Criminal history background checks, §6-17-410.

Continuing education and professional development.

Renewal of license, §6-15-1004.

Contracts.

Breach of contract.

Districts and officers relieved from liability, §6-17-803.

Coaches, §6-17-301.

Copies, §6-13-620.

TEACHERS —Cont'd**Contracts —Cont'd**

- Department heads, §6-17-301.
- Employment by contract, §6-17-301.
- Employment of teacher obligated to another school district.
- Liability of hiring district, §6-17-304.

Indefinite teacher employment contracts.

- Amount of salary, §6-17-801.
- Null and void, §6-17-801.
- Other provisions remain effective, §6-17-801.
- Vocational agriculture teachers, §6-17-802.

Normal base contract period, §6-17-807.**Optional contract for hiring teachers,** §6-17-803.

- Paying in twelve monthly installments, §6-17-803.

Personnel policies incorporated into contracts, §6-17-204.**Principals.**

- Employment of principals by contract, §6-17-301.

Salaries.

- Additional days, §6-17-807.
- Warrants.
- Void without contract, §6-17-919.

Student teachers, §6-17-305.**Controlled substances.**

- Reporting student drug abuse.
- Immunity from civil liability, §6-17-107.

Core licensure content areas, §6-17-402.**Counselors.**

- Administrator licensure, §6-17-424.

Criminal history background checks.

- Alternative educator preparation programs, provisional license under, §6-17-409.
- Applicants for license, §6-17-410.
- Confidentiality of information, §6-17-410.
- Existing nonlicensed employees, §6-17-415.
- Fraudulent acts, §6-17-421.
- Initial employment of nonlicensed personnel, §6-17-414.
- Lifetime teaching licenses.
- Applicants, §6-17-2604.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

- Administration, §6-82-1505.

TEACHERS —Cont'd**Critical needs minority teacher scholarship program —Cont'd**

- Committee, §6-82-1506.
- Eligibility for scholarship, §6-82-1503.
- Rules, §6-82-1505.
- Service requirement, §6-82-1504.

Daily planning periods, §6-17-114.**Deaf, deaf or Hard of Hearing.**

- School for the Deaf, §§6-43-305, 6-43-306.

Deaf, deaf persons.

- Teachers for the Deaf, deaf, or Hard of Hearing entering state service, §6-17-810.

Definitions.

- Dismissal, §6-17-1502.
- Dual licensure incentive program, §6-81-607.
- Minimum sick leave law, §6-17-1202.

Delta region.

- Reimbursement for interview expenses, §6-17-307.

Department heads.

- Employment, §6-17-301.

Discipline.

- Removal of pupil, §6-18-511.
- Restraint of students, §§6-18-2401 to 6-18-2409.
- Student discipline training, §6-18-501.

Discrimination.

- Teacher opportunity program.
- Prohibited, §6-81-606.

Dismissal.

- Appeals, §6-17-1510.
- Board action, §6-17-1510.
- Citation of act, §6-17-1501.
- Construction of subchapter, §6-17-1503.

Contracts.

- Renewal, §6-17-1506.
- Definitions, §6-17-1502.
- Evaluation under teacher excellence and support system, §6-17-1504.
- Grounds for termination, §6-17-1507.
- Hearings.
- Board action, §6-17-1510.
- Procedure, §6-17-1509.
- Request for hearing, §6-17-1509.
- Suspension of teachers, §6-17-1508.

Notice.

- Renewal of contract, §6-17-1506.
- Suspension, §6-17-1508.
- Termination recommendation, §6-17-1507.
- Personnel file, §6-17-1505.
- Availability to teachers, §6-17-1505.
- Maintenance by district, §6-17-1505.

TEACHERS —Cont'd**Dismissal —Cont'd**

- Reinstatement, §6-17-1508.
- Short title, §6-17-1501.
- Suspension, §6-17-1508.
 - Hearings, §6-17-1508.
 - Notice of grounds, §6-17-1508.
 - Reinstatement, §6-17-1508.
- Tenure law.
 - Subchapter not construed as tenure law, §6-17-1503.
- Termination during term of contract, §6-17-1507.
- Title of act, §6-17-1501.
- Written conclusions by board, §6-17-1510.

Disqualification for license or employment, §6-17-301.**Drug abuse.**

- Reporting student drug abuse.
- Immunity from civil liability, §6-17-107.

Dual licensure incentive program.

- Administration, §6-81-608.
- Creation, §6-81-608.
- Definitions, §6-81-607.
- Funding, §6-81-609.
- Purpose, §6-81-608.
- Reimbursements, §6-81-609.

Duty-free lunch period, §6-17-111.**Dyslexia and related learning disorders.**

- Certified academic language therapists, network for providing specialized instructional program, §6-41-612.
- Education programs for teachers, §6-41-609.
- Professional awareness, §6-41-608.

Educational support and accountability act.

- Teacher experience and effectiveness, §6-15-2912.

Education faculty involvement program.

- Eligibility to participate, §6-63-502.
- Participation in program, §6-63-502.

Educator preparation program.

- Licensure requirements, §6-17-402.
- Alternative educator preparation programs, §6-17-409.

Elective or appointive offices.

- Public school district policy, §6-17-115.
- State policy, §6-17-115.

Emergency teaching permit.

- Tiered system of licensure, §6-17-402.

Employment of teacher obligated to another school district.

- Liability of hiring district, §6-17-304.

TEACHERS —Cont'd**Ethics.**

- Complaints against licensed administrators or teachers, §6-17-428.

Evaluations.

- Teacher excellence and support system, §§6-17-2801 to 6-17-2809.

Fair hearing law.

- Generally, §§6-17-1701 to 6-17-1705.

Geographical critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.**Grievance.**

- Consolidation of school districts.
- Interim personnel policy committee, §6-17-209.

- New personnel policies, §6-17-209.

- Opportunity to be heard, §6-17-210.

Highly qualified professional and teacher act, §6-63-105.**Home economics teachers.**

- Travel reimbursement, §6-17-109.

Immigrants.

- Licenses for noncitizens, §6-17-430.

Immunity.

- Reporting student drug abuse.
- Immunity from civil liability, §6-17-107.

In-service training.

- Mental health awareness and teen suicide awareness and prevention professional development, §6-17-708.

- Program to improve student reading skills, §6-17-701.

Insurance.

- Salaries.
- Deductions for group insurance premium, §6-17-804.

Interviews.

- Delta region.
- Reimbursement for interview expenses, §6-17-307.

Jason Flatt act.

- Mental health awareness and teen suicide awareness and prevention professional development, §6-17-708.

Labor organization membership, §6-17-120.

- Right to join professional organization, §6-17-202.

Layoffs.

- Salaries.
- Compensation program of 2003.
- Reduction in force procedure, §6-17-2407.

TEACHERS —Cont'd**Leaves of absence.**

Military, civil defense or public health purposes, §6-17-306.

National guard youth challenge program teachers.

Basic contract provisions, §6-17-2402.

Teacher of the year.

Duties while on administrative leave, §6-17-2503.

Licenses.

Adjoining states, §6-17-404.

Compliance with requirements for first-time applicants, §§6-17-404, 6-17-410.

Alternative educator preparation programs, §6-17-409.

Applicants for license, §6-17-410.

Arkansas history requirement, §6-17-418.

Child maltreatment central registry true report.

Ineligible for license, §6-17-410.

Continuing education and professional development.

Renewal, §6-15-1004.

Convictions preventing issuance of license, §6-17-410.

Core licensure content areas, §6-17-402.

Counselors.

Administrator licensure, §6-17-424.

Demonstration of subject matter competency, §6-15-1004.

Disqualification for license or employment, §6-17-301.

Dual licensure incentive program, §§6-81-607 to 6-81-609.

Educator preparation program, §6-17-402.

Alternative educator preparation programs, §6-17-409.

Eligibility.

Criminal records check, §6-17-410.

Examination required, §6-17-402.

Expired license renewal requirements, §6-17-419.

Falsifying attendance records.

Revocation, §6-17-407.

Letter of provisional eligibility for license.

Issued pending criminal records check results, §6-17-410.

Lifetime teaching licenses, §§6-17-2601 to 6-17-2606.

TEACHERS —Cont'd**Licenses —Cont'd**

Mental health awareness and teen suicide awareness and prevention professional development, §6-17-708.

NBTS certification, §§6-17-412, 6-17-413.

New license.

Application, §6-17-602.

Noncitizens, §6-17-430.

Nontraditional licensure.

History in-service training, §6-17-418.

Office for the purpose of teacher recruitment, §6-17-310.

Probation, §6-17-410.

Professional development.

Generally, §§6-17-701 to 6-17-711.

Requirement, §6-17-709.

Professional licensure standards board, §6-17-422.

Repeat audit findings.

Review by board, §6-17-426.

Subpoena powers, §6-17-425.

Provisional licensure.

Teachers trained and licensed in other states, §6-17-403.

Reading assessment requirements, §6-17-402.

Refunds of unearned salary.

Revocation of license until repayment made, §6-17-803.

Registration, §6-17-401.

Reinstatement of revoked license, §6-17-402.

Renewal.

Continuing education and professional development, §6-15-1004.

Reprimands.

Ethics violations.

Administrative remedies, §6-24-114.

Required, §6-17-401.

Requirements for obtaining, §6-15-1004.

Revocation, §6-17-410.

Ethics violations.

Administrative remedies, §6-24-114.

Falsifying attendance records, §6-17-407.

Reinstatement of revoked license, §6-17-402.

Rules, §6-17-402.

TEACHERS —Cont'd**Licenses —Cont'd**

Salaries.

Warrants.

Void without valid license,
§6-17-919.

Suspension, §6-17-410.

Ethics violations.

Administrative remedies,
§6-24-114.Teachers trained and licensed in other
states.

Provisional licensure, §6-17-403.

Tiered system of licensure, §6-17-402.

Minimum compensation schedule
based on, §6-17-2403.University professor or assistant
professor.Highly qualified professional and
teacher act, §6-63-105.

Unlicensed teachers or instructors.

Limitation on time in classroom,
§§6-15-1004, 6-17-309.

Waiver of requirements.

First-time applicants, §6-17-410.

Lifetime teaching licenses,

§§6-17-2601 to 6-17-2606.

Applications, §6-17-2604.

Criminal background checks,
§6-17-2604.

Definitions, §6-17-2602.

Eligibility, §6-17-2603.

Professional development programs,
§6-17-2605.

Purpose, §6-17-2601.

Reports, §6-17-2606.

Rules, §6-17-2606.

Substitute teacher, employment as,
§6-17-2605.**Loans.**Teacher candidate loan forgiveness
program, §§6-81-1701 to
6-81-1706.**Lunch periods.**

Duty-free lunch periods, §6-17-111.

Military leave, §6-17-306.**Minimum sick leave law, §§6-17-1201
to 6-17-1209.****Minority teacher and administrator
preparation and recruitment
strategic plan.**

Department of education, §6-17-1903.

**National guard youth challenge
program teachers.**

Basic contract provisions, §6-17-2402.

**NBTS certification, §§6-17-412,
6-17-413.****Noninstructional duties, §6-17-117.****TEACHERS —Cont'd****Notice.**

Dismissal of teachers.

Notice of termination
recommendation, §6-17-1507.

Renewal of contracts, §6-17-1506.

Suspension, §6-17-1508.

Revocation, suspension, or probation of
license, §6-17-410.**Office for the purpose of teacher
recruitment, §6-17-310.****Online professional development
initiative, §6-17-707.****Parent and family engagement**

plans, §§6-15-1701 to 6-15-1705.

**Parents as teachers program,
§6-10-109.****Penalties.**Abusing or insulting teacher engaged
in school responsibilities,
§6-17-106.**Period of silence, §6-10-115.****Personal leave.**Use when teacher absent from school
premises, §6-17-211.**Personnel file, §6-17-1505.**

Availability for inspection, §6-17-1505.

Maintenance, §6-17-1505.

Personnel policies.

Accreditation of district.

Written personnel policies required
for, §6-17-207.

Committee.

Composition, §6-17-203.

Duties, §6-17-205.

Election of members, §6-17-203.

Organization, §6-17-205.

Copies.

Furnished to teachers and
administrators, §6-17-206.Incorporation into teachers' contracts,
§6-17-204.

Personal leave.

Use when teacher absent from
school premises, §6-17-211.Right to join professional organization,
§6-17-202.

Written policies, §6-17-201.

Pledge of Allegiance.Minute of silence following recitation,
§6-16-108.

Recitation requirement, §6-16-108.

Preservice teachers.Criminal background checks,
§6-17-411.**Principals.**

Duties and responsibilities.

Generally, §6-17-302.

TEACHERS —Cont'd**Principals —Cont'd**

- Employment, §§6-17-301, 6-17-302.
- Master principal program.
- Definitions, §6-17-1601.
- High-need school salary bonus, §6-17-1604.
- Hold-back longevity bonus, §6-17-1604.
- Phases of program, §6-17-1602.
- Purpose of program, §6-17-1602.
- Rules, §§6-17-1603, 6-17-1604.
- Salary rules, §6-17-1604.
- Student crimes, reporting, §6-17-113.
- Professional development, §§6-17-701 to 6-17-711.**
 - Arkansas history, §6-17-703.
 - Bullying prevention, §6-17-711.
 - Credit, §6-17-705.
 - Exemption, §6-17-706.
 - Defined, §6-17-704.
 - Entities providing, §6-17-709.
 - Human trafficking, training regarding, §6-17-710.
 - License requirement, §6-17-709.
 - Lifetime teaching licensees, §6-17-2605.
 - Mental health awareness and teen suicide awareness and prevention, §6-17-708.
 - Offerings, §6-17-704.
 - Online professional development initiative, §6-17-707.
 - Plan, §6-17-704.
 - Purpose, §6-17-704.
 - Reading skills of student.
 - In-service training to improve student reading skills, §6-17-701.
 - Schedule, §6-17-709.
 - Staff development sessions, §6-17-702.

Professional development credit.

- Return to work after retirement, §6-17-423.

Professional licensure standards board, §6-17-422.

- Ethics complaints against licensed personnel, §6-17-428.
- Repeat audit findings.
 - Review by board, §6-17-426.
- Subpoena powers, §6-17-425.

Professional relationship with students inside and outside classroom.

- Code of ethics standard, §6-17-428.

Provisional license.

- Alternative educator preparation programs, §6-17-409.

TEACHERS —Cont'd**Provisional license —Cont'd**

- Tiered system of licensure, §6-17-402.

Public education act of 1997.

- General provisions, §§6-15-1001 to 6-15-1011.

Pupils.

- Student drug abuse.
 - Reports.
 - Immunity from civil liability, §6-17-107.

Qualified teachers in every public school classroom, §6-15-1004.**Reading skills of student.**

- In-service training to improve student reading skills, §6-17-701.

Records.

- Accumulated sick leave.
- Maintenance of records, §6-17-1205.
- Attendance records.
 - Revocation of license for falsifying, §6-17-407.
- Required, §6-17-104.

Recruitment.

- Incentives in high-priority districts, §6-17-811.
- Office for the purpose of teacher recruitment, §6-17-310.
- University assisted teacher recruitment and retention grant program, §6-81-1301.

Recruitment and retention program, §6-17-1901.

- Equity assistance center, §6-17-1902.
- Minority teacher and administrator preparation and recruitment strategic plan.
 - Department of education, §6-17-1903.

Religious clothing.

- Authorization to wear, §6-17-108.

Relocation expenses,

- reimbursement, §6-17-308.**

Reports.

- Abusing or insulting teacher engaged in school responsibilities.
 - Prosecutions to be reported to division of elementary and secondary education, §6-17-106.
- Final month's pay withheld until reports returned, §6-17-104.
- Lifetime teaching licenses, §6-17-2606.
- Reporting student drug abuse.
 - Immunity from civil liability, §6-17-107.
- Required, §6-17-104.

Restraint of students, §§6-18-2401 to 6-18-2409.

TEACHERS —Cont'd**Retired teachers.**

Renewal of expired license, §6-17-423.

Rewarding excellence in achievement program,
§§6-15-2601 to 6-15-2610.**Right to join professional organization,** §6-17-202.**Rules.**

Licenses, §6-17-402.

Lifetime teaching licenses, §6-17-2606.

Science, technology, engineering, and math fund.

Determination of eligibility,
§6-17-2702.

Teacher opportunity program.

Division of higher education,
§6-81-603.

Salaries.

Additional days, §6-17-807.

Void without contract, §6-17-919.

Warrants.

Void without contract, §6-17-919.

Applicability of teacher salary schedule, §6-17-2406.

Audits of accounts, §6-17-913.

Bonus for NBTS certification,
§6-17-413.

Bonus for participation in traveling teacher program, §6-13-808.

Countersigning, §6-17-918.

Definitions, §§6-17-902, 6-17-2402.

Educational excellence trust fund,
§6-5-307.

Final month's pay withheld until registers and reports returned,
§6-17-104.

Funds, §6-17-907.

Advances from other funds,
§6-17-912.

Audits of accounts, §6-17-913.

County collectors.

Settlements.

Failure to make settlements,
§6-17-911.

County treasurers.

Advances from other funds,
§6-17-912.

Duties, §6-17-907.

Failure to make records and settlements, §6-17-911.

Records, §6-17-907.

Failure to make records,
§6-17-911.

Teachers salary fund, §6-17-908.

Future adjustments, §6-17-2405.

Increase for teaching more than maximum number of students permitted, §6-17-812.

TEACHERS —Cont'd**Salaries —Cont'd**

Indefinite teacher employment contracts, §6-17-801.

Amount of salary, §6-17-801.

Other provisions of contract remain effective, §6-17-801.

Insurance.

Deductions for group insurance premium, §6-17-804.

License required, §6-17-401.

Licenses.

Void without valid license,
§6-17-919.

Lists.

Filing of personnel lists, §6-17-915.

Low-income school designation, applicability of certain step programs, §6-17-2406.

Membership dues.

Deductions, §6-17-805.

Teacher.

Defined, §6-17-805.

Minimum compensation schedule,
§6-17-2403.

NBTS certification, yearly incentive bonus, §6-17-413.

Payment.

Twelve monthly installments,
§6-17-803.

Personnel lists.

Filing, §6-17-915.

Public school funding act of 2003.

Teacher salary equalization funding,
§6-20-2305.

Reduction in force procedure,
§6-17-2407.

Refunds of unearned salaries,
§6-17-803.

Rewarding excellence in achievement program, §§6-15-2601 to 6-15-2610.

Schedule.

Required to be in school district's written personnel policies,
§6-17-201.

Teachers salary fund, §6-17-908.

Teacher's years of experience.

Minimum compensation schedule,
§6-17-2403.

Teaching more than maximum number of students permitted, §6-17-812.

Title of provisions, §§6-17-901, 6-17-2401.

Traveling teacher program.

Bonus, §6-13-808.

Unearned salaries.

Refunds, §6-17-803.

TEACHERS —Cont'd**Salaries —Cont'd**

Warrants.

Issuance, §6-17-918.

Scholarships.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

High-needs subject areas, teacher scholarships, §6-82-1901.

University assisted teacher recruitment and retention grant program, §6-81-1301.

School districts.

Employment of teachers obligated to another school district.

Liability of hiring district, §6-17-304.

Student teachers.

Directors may contract, §6-17-305.

School performance report act,

§§6-15-1401, 6-15-1402.

School worker defense program,

§§6-17-1113, 6-17-1118.

Science, technology, engineering, and math fund, §§6-17-2701 to 6-17-2704.

Application process, §6-17-2703.

Disbursement of supplemental grant, §6-17-2704.

Eligibility, determination of, §6-17-2702.

Legislative intent, §6-17-2701.

Rules promulgation, §6-17-2702.

Scientific reading instruction,

§6-17-429.

Sexual offenses.

Employees convicted of committing, §6-17-116.

Shortages.

Teacher education program.

Grounds for eligibility, §6-81-1605.

Purposes of program, §6-81-1603.

Sick leave.

Accumulated sick leave.

Defined, §6-17-1202.

Records, §6-17-1205.

Amount of leave, §6-17-1204.

Credit for leave accumulated in another school district, §6-17-1206.

Definitions, §6-17-1202.

Immediate family defined, §6-17-1202.

Injury from assault during employment, §6-17-1209.

Leave accumulated in another school district.

Credit, §6-17-1206.

TEACHERS —Cont'd**Sick leave —Cont'd**

More liberal sick leave policy.

Authorized, §6-17-1208.

National guard youth challenge program teachers.

Basic contract provisions, §6-17-2402.

Payment for unused sick leave, §6-17-1207.

Personal leave.

Use when employee away from school premises, §6-17-211.

Policies for administering sick leave, §6-17-1203.

Professional development, use of leave for, §6-17-1204.

Records.

Accumulated sick leave, §6-17-1205.

Rules for administering sick leave, §6-17-1203.

Short title, §6-17-1201.

Teacher defined, §6-17-1202.

Title.

Short title, §6-17-1201.

Unused sick leave.

Accumulation, §6-17-1205.

Payment, §6-17-1207.

Speech-language pathologists.

NBTS certification, §6-17-413.

Staff development sessions,

§6-17-702.

State board of education.

Licensed personnel testing program, §6-17-601.

Teacher excellence and support system.

Rulemaking by state board, §6-17-2804.

State teacher education program,

§§6-81-1601 to 6-81-1606.

Student loans.

Teacher candidate loan forgiveness program, §§6-81-1701 to 6-81-1706.

Student teachers.

Assignment, §6-17-305.

Contracts, §6-17-305.

Immunities, §6-17-305.

School districts.

Directors may contract, §6-17-305.

Subject-area licensure.

Criteria for assignment, §6-15-1004.

Subpoenas.

Powers of certain boards in connection with licensure, §6-17-425.

Substitute teachers.

Lifetime teacher licensees, §6-17-2605.

TEACHERS —Cont'd**Substitute teachers —Cont'd**

Qualifications for long-term assignments, §6-15-1004.

Suicide.

Mental health awareness and teen suicide awareness and prevention professional development, §6-17-708.

Suspension of students, §6-18-507.**Teacher candidate loan forgiveness program, §§6-81-1701 to 6-81-1706.**

Administration of program, §6-81-1701.

Amount of loan, §6-81-1703.

Deferral of repayment requirements, §6-81-1705.

Duration of loan, §6-81-1703.

Eligibility for loan, §6-81-1702.

Established, §6-81-1701.

Funding for loans, §6-81-1702.

Repayment, §6-81-1705.

Rulemaking to implement provisions, §6-81-1705.

Terms of loan, §6-81-1703.

Written loan contract for repayment, §6-81-1704.

Teacher education program,

§§6-81-1601 to 6-81-1606.

Administration, §6-81-1604.

Alternative educator preparation program, teachers who have completed, §§6-81-1605, 6-81-1606.

Amount of loan, §6-81-1606.

Definitions, §6-81-1602.

Duration of loan, §6-81-1606.

Eligibility, §6-81-1605.

Purpose of program, §6-81-1603.

Shortages.

Grounds for eligibility, §6-81-1605.

Purposes of program, §6-81-1603.

Short title of provisions, §6-81-1601.

Teacher excellence and support

system, §§6-17-2801 to 6-17-2809.

Administrator leadership support and evaluations system, §6-17-2809.

Applicability of provisions, §6-17-2808.

Definitions, §6-17-2803.

Evaluations under, generally, §6-17-1504.

Formative year support, §6-17-2806.

Implementation of system, §6-17-2808.

Intensive support status, §6-17-2807.

Legislative intent, §6-17-2802.

Novice teacher mentoring, §6-17-2806.

Opt-out of provisions, §6-17-2808.

Professional growth plans, §6-17-2806.

TEACHERS —Cont'd**Teacher excellence and support system —Cont'd**

Rulemaking by state board of education, §6-17-2804.

Summative evaluations, §6-17-2805.

Title of provisions, §6-17-2801.

Teacher of the year, §§6-17-2501 to 6-17-2506.**Teacher opportunity program.**

Administration of program, §6-81-603.

Conditions for loans, §6-81-604.

Creation of program, §6-81-602.

Discrimination.

Prohibited, §6-81-606.

Division of higher education.

Powers, §6-81-603.

Eligibility for loans, §6-81-604.

Establishment of program, §6-81-602.

Legislative purpose, §6-81-601.

Priorities, §6-81-605.

Purpose of act, §6-81-601.

Reimbursements, §6-81-605.

Repayment of loans, §6-81-606.

Failure to repay, §6-81-606.

Rules.

Division of higher education, §6-81-603.

Technical permit.

Tiered system of licensure, §6-17-402.

Technology-based professional development programs,

§6-17-707.

Tenure.

Dismissal of teachers.

Subchapter not construed as tenure law, §6-17-1503.

Testing programs.

Board to establish licensed personnel testing program, §6-17-601.

Reports.

Confidentiality, §6-17-603.

Test scores, §6-17-603.

Tiered system of licensure, §6-17-402.

Minimum compensation schedule based on, §6-17-2403.

Training.

Bullying, §§6-17-711, 6-18-514.

Health and safety issues relating to student physical activity, §6-18-708.

Traveling teacher program,

§6-13-808.

Travel reimbursement.

Delta region.

Reimbursement for interview expenses, §6-17-307.

Home economics teachers, §6-17-109.

TEACHERS —Cont'd

University assisted teacher recruitment and retention grant program, §6-81-1301.

Unlicensed teachers or instructors.

Limitation on time in classroom,
§§6-15-1004, 6-17-309.

Violations.

Abusing or insulting teacher engaged
in school responsibilities,
§6-17-106.

Waivers.

Unlicensed teachers or instructors.
Limitation on time in classroom,
§6-17-309.

Workers' compensation.

Applicability of coverage, §6-17-1401.
Employees.

Method of financing coverage,
§6-17-1403.

Forms, §6-17-1404.

Method of financing coverage,
§6-17-1403.

Reports.

Filing report by school district
officials, §6-17-1404.

Rulemaking power vested in
commission, §6-17-1402.

**TECHNICAL COLLEGE AND
COMMUNITY COLLEGE
CAPITAL IMPROVEMENTS,**

§§6-61-1001 to 6-61-1014.

Authority of board of trustees.

Financing project, §6-61-1012.

Issuance of bonds, §§6-61-1003,
6-61-1011.

Refunding bonds, §6-61-1013.

Use of available funds, §6-61-1014.

Authorizing resolution, §6-61-1004.

Additional terms, §6-61-1005.

Bond issues.

Board of trustees, §§6-61-1003,
6-61-1011.

State board of higher education,
§6-61-1010.

**Debt for which full faith and credit
of state pledged.**

Bonds not considered, §6-61-1009.

Definitions, §6-61-1002.**Financing project.**

Authority of board of trustees,
§6-61-1012.

Interest on bonds, §6-61-1007.**Issuance of bonds.**

Authority of board of trustees,
§6-61-1011.

Authorizing resolution, §§6-61-1004,
6-61-1005.

**TECHNICAL COLLEGE AND
COMMUNITY COLLEGE
CAPITAL IMPROVEMENTS**

—Cont'd

Issuance of bonds —Cont'd

State board of higher education,
§6-61-1010.

Negotiation, sale of bonds,

§6-61-1008.

Personal liability of board members,

§6-61-1009.

Public sale of bonds, §6-61-1008.

Purposes of bonds, §6-61-1003.

Refunding bonds, §6-61-1013.

Resolution authorizing, §6-61-1004.

Additional terms, §6-61-1005.

Sale of bonds, §6-61-1008.

Signature on bonds, §6-61-1006.

**State board of higher education
authority**, §6-61-1010.

**Technical college and community
college capital improvement act
of 1993.**

Title of subchapter, §6-61-1001.

Terms of authorizing resolution,

§6-61-1004.

Additional terms, §6-61-1005.

Title of subchapter.

Technical college and community
college capital improvement act of
1993, §6-61-1001.

Use of available funds, §6-61-1014.

TECHNICAL COLLEGE DISTRICTS,

§§6-53-601 to 6-53-605.

Ad valorem tax levy, §6-53-603.

Amount, §6-53-601.

Collection, §6-53-603.

Continuation after college becomes
branch of existing institution,
§6-53-605.

Election, §6-53-602.

Purpose, §§6-53-601, 6-53-603.

Reduction of millage tax, §6-53-604.

**Branch of existing institution of
higher education.**

Continuation of tax after technical
college becomes, §6-53-605.

Dissolution, §6-53-604.

Election on formation, §6-53-602.

Election on tax levy, §6-53-602.

Formation, §6-53-602.

Intent of subchapter, §6-53-601.

Notice of election, §6-53-602.

Purposes of subchapter, §6-53-601.

TECHNICAL COLLEGES.

Arkansas Northeastern college,
§§6-59-101 to 6-59-111.

TECHNICAL COLLEGES —Cont'd**Arkansas state university-Searcy.**

General provisions, §§6-56-101 to 6-56-110.

Arkansas State University Three Rivers, §§6-54-101 to 6-54-104.**Arkansas Tech University, §§6-57-101 to 6-57-104.****Bond issues for capital improvements.**

Generally, §§6-61-1001 to 6-61-1014.

National park college, §§6-58-101 to 6-58-113.**Postsecondary vocational and technical education.**

Technical colleges generally, §§6-53-301 to 6-53-308.

Technical college districts, §§6-53-601 to 6-53-605.**TECHNOLOGY.****High-Tech scholarship program, §§6-82-401 to 6-82-410.****TECHNOLOGY TRAINING CENTER.****Education service cooperatives, §6-13-1023.****TELECOMMUNICATIONS.****Child abuse hotline.**

Schools, posting of child abuse hotline number, §6-18-712.

Education.

Distance learning demonstration project, §§6-47-201 to 6-47-304.

Distance learning development project, §§6-47-401 to 6-47-406.

TELEVISION.**Educational television, §§6-3-101 to 6-3-113.****TERRORISM.****Education.**

Emergency operations and communications plans, §6-15-1302.

Panic button alert system, §6-15-1302.

TEXTBOOKS, §§6-21-401 to 6-21-413.**Arkansas history textbook.**

Publication and sale, §6-20-205.

Assessment of damages for publisher's failure to comply, §6-21-409.**Braille and large print textbooks.**

Application by local school districts for, §6-21-105.

School for blind to provide, §6-21-105.

Colleges and universities.

Textbooks and course materials, §§6-60-601 to 6-60-605.

TEXTBOOKS —Cont'd**Contracts with publisher.**

Damages for failure to comply, §6-21-409.

Definitions, §6-21-402.**Depository in state.**

Published to maintain, §6-21-406.

Exchange rules.

Illegal acts involving school officials, §6-21-410.

Furnishing, §6-21-403.**Gifts.**

Illegal acts involving school officials, §6-21-410.

Offering for adoption, sale or exchange.

Conditions, §6-21-406.

Penalties.

Illegal acts involving school officials, §6-21-410.

Price, §6-21-403.**Requirements, §6-21-403.****Rules.**

Promulgation, §6-21-404.

Selecting committees.

District to select, §6-21-413.

Illegal acts, §6-21-410.

Members, §6-21-413.

Selection of instructional materials by district, §6-21-403.**Short title, §6-21-401.****State board of education.**

Duties, §6-21-404.

Title of act, §6-21-401.**THREATS.****Schools and education.**

Threats targeted at school.

Reports by mandated reporters, §6-18-110.

TIME.**Education.**

Alternate school calendar, §6-10-106.

Beginning of school year.

Uniform date, §6-10-106.

Fiscal year, §6-20-410.

School elections.

Date of annual election, §6-14-102.

School year.

Extension beyond Memorial day, §6-10-106.

TORNADOES.**Education buildings and facilities.**

Approval of building plans and designs, §6-21-116.

Public schools to conduct tornado safety drills, §6-10-121.

TRANSGENDER PERSONS.**Fairness in women's sports act.**

School sports teams to be based on biological sex, §6-1-107.

TRANSPORTATION.**University of Arkansas.**

Research and education program.

Funding, §6-64-1010.

TRAVELING TEACHER PROGRAM,

§6-13-808.

TREASURER OF STATE.**Education.**

Federal aid.

State treasurer designated as trustee, §6-11-113.

University of Central Arkansas.

Funds.

Duties, §6-67-111.

TRESPASS.**Deaf, deaf or Hard of Hearing.**

School for the Deaf.

Action for trespass or other wrongs brought by state, §6-43-304.

Education.

Disturbance created by persons not students.

Penalty, §6-21-606.

TRIPLETS.**Schools and education.**

Classroom assignments of multiple birth siblings, §6-18-106.

TRUANCY.**Additional truancy officers for school district with high dropout rate.**

Funding, §6-11-209.

Compulsory attendance, §§6-18-201 to 6-18-233.**TRUSTS AND TRUSTEES.****Colleges and universities.**

Board of higher education.

Administration of trusts and endowments, §6-61-213.

Conveyances to state for higher learning institutions.

Administration by board of institutions, §6-62-503.

Authorized, §6-62-502.

Definitions, §6-62-501.

Discharge of encumbrances only from funds of property, §6-62-504.

Fee simple title subject to

encumbrances, §6-62-504.

TRUSTS AND TRUSTEES —Cont'd**Colleges and universities —Cont'd**

Conveyances to state for higher learning institutions —Cont'd

Income from property.

Deposit for benefit of institution.

Separate deposit, §6-62-507.

No charge of income against appropriations, §6-62-507.

Manner of dealing with property, §6-62-505.

Recordation, §6-62-503.

Tax exemption, §6-62-506.

Educational excellence trust fund.

General provisions, §§6-5-301 to 6-5-308.

Foreign languages.

Teacher training program, §6-16-127.

TUITION.**Brighter future fund plan act,**

§§6-84-101 to 6-84-114.

Colleges and universities.

Board of higher education.

Reporting on student tuition and mandatory fees, §6-61-215.

Brighter future fund plan act,

§§6-84-101 to 6-84-114.

Dental students in out-of-state professional programs.

Repayment of tuition by state of Arkansas, §§6-81-1103, 6-81-1104.

Higher education consumer guide, §6-61-1703.

Information to be made available by division of higher education, §§6-60-1301 to 6-60-1305.

Military affairs.

In-state tuition for veterans, military personnel and dependents, §6-60-205.

Out-of-state tuition, §6-82-103.

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents.

Allowance, §6-82-601.

Definitions, §6-82-601.

Rules, §6-82-601.

Professional schools.

Tuition assistance for students attending certain out of state professional schools, §6-81-1101.

Repayment of tuition paid by state, §§6-81-1103, 6-81-1104.

Community colleges, §6-61-523.**Elementary or secondary schools.**

Tuition agreements with nonresident school districts.

Students participating in, §6-18-202.

TUITION —Cont'd**National guard.**

Tuition assistance plan, §6-60-211.

Tuition benefits generally, §6-60-214.

Nontraditional documented

immigrants, classification as in-state, §6-60-215.

University of Arkansas for medical sciences.

Medical department.

Fees, §6-64-408.

TUTORS.**Schools and education.**

Arkansas tutoring corps, §§6-15-3101 to 6-15-3104.

TWIN LAKES**VOCATIONAL-TECHNICAL SCHOOL, HARRISON.****Institution designated as technical college, §6-53-301.****TWINS.****Schools and education.**

Classroom assignments of multiple birth siblings, §6-18-106.

U**UNDERWEAR.****Clothes exposing to view.**

School student discipline policy contents, §6-18-503.

UNEMPLOYMENT**COMPENSATION.****Workforce services division.**

College graduates.

Employment and earning outcomes for degrees and certificates at institutions of higher education and state-supported technical institutes, §6-60-105.

UNITED STATES.**Agricultural colleges.**

Arkansas state university.

Federal aid.

Vouchers drawn by disbursing agent, §6-65-204.

Colleges and universities.

Commission on coordination of higher education finance.

Designation of commission as state agency for grant under federal act, §6-62-313.

UNITED STATES —Cont'd**Education.**

Schoolhouses.

Insurance of buildings, contents and other property.

Effect of federal assistance, §6-20-1509.

Student loans.

Guarantee foundation.

Administration of student loan provisions of federal laws, §6-81-201.

University of Arkansas.

Division of agriculture.

Bureau of research and statistics.

Collaboration with United States bureau, §6-64-714.

Contracts with United States, §6-64-713.

Federal land grant of 1862.

Acceptance, §6-60-101.

Conditions of grant.

Acceptance of conditions, §6-60-101.

UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT PROGRAM, §6-81-1301.**UNIVERSITY OF ARKANSAS.****Accounts and accounting.**

Applicability of act.

Funds excepted from applicability, §6-64-1009.

Claims.

Allowance in payment to be listed, §6-64-1008.

Dealers.

Itemized account to be filed.

Affidavit attached, §6-64-1006.

Duplicate accounts to be filed, §6-64-1006.

Employees to file monthly accounts, §6-64-1005.

Funds excepted from applicability of act, §6-64-1009.

Itemizing statement for allowance and payment, §6-64-1007.

Penalties, §6-64-1001.

Affidavits.

Accounts and accounting.

Dealers to file itemized accounts, §6-64-1006.

Attachment of affidavits, §6-64-1006.

UNIVERSITY OF ARKANSAS

—Cont'd

Agricultural department.

Diagnostic laboratory services,
§6-64-1013.

Agriculture, division of.

Bureau of research and statistics.

Collaboration with United States
bureau, §6-64-714.

Contracts with United States.

Authority to make contracts,
§6-64-713.

Publication.

Use of material and information
in publications, §6-64-715.

Establishment of offices, facilities, etc.,
§6-64-717.

Federal aid.

Acceptance, §6-64-701.

Includes agricultural experiment
station and cooperative extension
service, §6-64-716.

Pine Tree research station,
preservation and protection,
§6-64-718.

Purpose of cooperative extension
service, §6-64-716.

Purpose of experiment station,
§6-64-716.

Scope of division, §6-64-716.

Appropriations.

Application of funds for specified
purposes only, §6-64-1002.

**Area health education center
programs.**

Periodic progress reports, §6-64-414.

Arkansas evaluation center,
§§6-5-701 to 6-5-703.**Athletic department.**

Additional compensation, §6-64-1012.

Basketball.

Radio broadcasts, §6-64-104.

Board of trustees.

Appointment of members, §6-64-201.

Compensation of trustees, §6-64-201.

Composition, §6-64-201.

Course of study, §6-64-101.

Expenditures.

Reports, §6-64-216.

Expenses of trustees, §6-64-201.

Faculty.

Leaves of absence.

Determination by board,
§6-64-209.

Meetings, §6-64-201.

President of university, attendance
at meetings, §6-64-207.

UNIVERSITY OF ARKANSAS

—Cont'd

Board of trustees —Cont'd

Nepotism.

Employment of relatives prohibited.

Exceptions, §6-64-214.

Warrants.

Liability for drawing warrants in
favor of relatives, §6-64-214.

Number of members, §6-64-201.

Powers, §6-64-202.

President of university.

Attendance at meetings, §6-64-207.

Real property.

Donated land.

Execution of deed, §6-64-218.

Power to sell, §6-64-218.

Removal of members, §6-64-201.

Charges brought against members.

Findings of examinations and
inquiries.

Reduced to writing, §6-64-206.

Procedure, §6-64-204.

Service of process, §§6-64-204,
6-64-205.

Written findings, §6-64-206.

Rules.

Government of university,
§6-64-203.

Southern regional education compact.

Designation of board as state agent
for out-of-state education,
§6-4-104.

Disbursing agent for student
accepted under program,
§6-4-107.

Payment by board for accepted
students, §6-4-105.

Status.

Body politic and corporate,
§6-64-202.

Warrants for the payment of money.

Nepotism.

Liability for drawing warrants in
favor of relatives, §6-64-214.

Bond issues.

Legal education fund, §§6-64-607 to
6-64-619.

Bonds, surety.

Military department.

Giving bond to United States to
secure use of arms for military
department, §6-64-1003.

Execution by surety company.
Amount, §6-64-1003.

UNIVERSITY OF ARKANSAS

—Cont'd

Chancellor for medical sciences.

Housing allowance.

Sale of state-owned home for
chancellor.

Use of proceeds, §6-64-110.

Chaplain.

Housing allowance, §6-64-109.

Construction.

Legal education fund.

Facilities for legal education,
§6-64-620.

Technology institute.

Improvement and construction of
property authorized, §6-64-805.**Construction and interpretation.**

Law school, §6-64-601.

Contracts.

Division of agriculture.

Bureau of research and statistics.

Authority to make contract with
United States government,
§6-64-713.Research, education and technical
extension.Authority to contract to perform
research services, §6-64-905.Authorization of contracts,
§6-64-908.

Technology institute.

Research contracts, §6-64-804.

Cooperative extension services.Market news reporting program,
§6-64-103.**Costs.**

Legal education fund.

Levy of additional costs for,
§§6-64-604 to 6-64-606.**Course of study.**

Board of trustees, §6-64-101.

Contents, §6-64-101.

Enumeration, §6-64-101.

Technology institute.

Offerings for courses, §6-64-802.

Dentists.

School of dental hygiene.

Established, §6-64-411.

Distance learning.

EVarsity, §6-64-305.

Employees.

Accounts and accounting.

Monthly accounts, §6-64-1005.

Salaries and compensation, §6-64-210.

Evaluation center, §§6-5-701 to
6-5-703.**Evening law school division,**
§6-64-621.**UNIVERSITY OF ARKANSAS**

—Cont'd

EVarsity, online learning, §6-64-305.**Faculty.**

Assistants, §6-64-208.

Athletic department.

Additional compensation,
§6-64-1012.

Board of trustees.

Leaves of absence.

Determination by board,
§6-64-209.

Compensation, §6-64-208.

Leaves of absence, §6-64-209.

Family practice department,
§6-64-409.**Federal aid.**

Division of agriculture.

Acceptance of federal aid, §6-64-701.

Federal land grant of 1862.

Acceptance, §6-60-101.

Conditions imposed by grant.

Acceptance, §6-60-101.

Financial assistance.

Applications.

Records and reports, §6-80-101.

Football.

Radio broadcasts, §6-64-104.

Fort Smith campus.

Employment models, §6-61-1106.

Model programs, §6-61-1105.

Funds.

Revolving loan fund, §6-81-401.

Amount of loans.

Maximum amount, §6-81-405.

Applications for loans.

Committee to accept or reject
applications, §6-81-403.Committee to accept or reject
applications, §6-81-403.

Creation, §6-81-401.

Defenses.

Invalid defenses, §6-81-407.

Disbursement of fund, §6-81-409.

Eligibility as borrowers, §6-81-402.

Interest on loans, §6-81-404.

Adding to revolving perpetual
fund, §6-81-408.

Limitation of actions.

Defenses invalid, §6-81-407.

Maximum loan amount, §6-81-405.

Promissory notes.

Persons securing loans, §6-81-404.

Purpose, §6-81-401.

Repayment of loans.

Rules, §6-81-406.

Rules.

Repayment of loans, §6-81-406.

UNIVERSITY OF ARKANSAS

—Cont'd

Gifts.

- Research, education and technical extension.
- Research services.
- Acceptance of grants and gifts, §6-64-905.

Hazing, §§6-5-201 to 6-5-204.**Higher education expenditure restrictions**, §§6-63-301 to 6-63-316.**Housing allowances.**

- Chancellor for medical sciences.
- Sale of state-owned home.
- Use of proceeds, §6-64-110.
- Chaplain, §6-64-109.

Interest.

- Revolving loan fund, §6-81-404.
- Adding of interest to revolving perpetual fund, §6-81-408.

Investments.

- Legal education fund.
- Legal investments, §6-64-615.
- Retirement or pension system funds, §6-64-615.

Law school.

- Bond issues.
- Legal education fund, §§6-64-607 to 6-64-619.
- Construction and interpretation, §6-64-601.
- Established, §6-64-602.
- Evening law school division, §6-64-621.
- Exclusive nature of provisions, §6-64-601.
- Name, §6-64-602.

Leases.

- Authorization of leases, §6-64-908.

Legal education fund.

- Bond issues.
- Agreements, §6-64-613.
- Authorized, §6-64-607.
- Change in costs for payments of outstanding bonds, §6-64-618.
- Construction fund, §6-64-616.
- Contract with holders and owner, §6-64-613.
- Deposit of proceeds from bonds, §6-64-616.
- Enforcement of agreements, §6-64-613.
- Excess costs.
- Use, §6-64-617.
- Execution of bonds, §6-64-610.
- Interest, §6-64-609.
- Investments.
- Legal investments, §6-64-615.

UNIVERSITY OF ARKANSAS

—Cont'd

Legal education fund —Cont'd

- Bond issues —Cont'd
- Investments —Cont'd
- Pension or retirement system funds.
- Authorized investments, §6-64-615.
- Liability, §6-64-611.
- Negotiable instruments, §6-64-609.
- Outstanding bonds.
- Change in costs for payments, §6-64-618.
- Pledge of costs levied, §6-64-612.
- Purposes, §6-64-607.
- Refunding bonds.
- Sale, §6-64-619.
- Resolution authorizing, §6-64-608.
- Retirement or pension systems.
- Investment of funds.
- Authorized investments, §6-64-615.
- Seal, §6-64-610.
- Security.
- Contract with holders and owner, §6-64-613.
- Not secured by mortgage or lien on land or buildings, §6-64-611.
- Pledge of costs levied, §6-64-612.
- Trust indenture, §6-64-608.
- Tax exemption, §6-64-614.
- Terms and conditions of bonds, §6-64-609.
- Trust indenture, §6-64-608.
- Cash funds, §6-64-605.
- Construction of legal education facilities, §6-64-620.
- Funds.
- Deposit of proceeds from bonds, §6-64-616.
- Costs.
- Levy of additional costs for.
- Bond issues.
- Pledge of costs levied, §6-64-612.
- Use of excess funds, §6-64-617.
- Cash funds, §6-64-605.
- Use and priorities of funds collected, §6-64-606.
- Tax exemption, §6-64-614.
- Generally, §6-64-604.
- Investments.
- Retirement or pension system funds, §6-64-615.
- Priorities, §6-64-606.
- Professionals.
- Employment, §6-64-620.

UNIVERSITY OF ARKANSAS

—Cont'd

Legal education fund —Cont'd

Refunding bonds.

Sale, §6-64-619.

Use, §6-64-606.

Library.

Research, education and technical extension.

Computer and technical library facilities authorized, §6-64-904.

Limitation of actions.

Revolving loan fund.

Defenses invalid, §6-81-407.

Market news reporting program,

§6-64-103.

Medical college.

North Central area health education center, §6-64-416.

Military department.

Bonds, surety.

Giving bond to United States to secure use of arms for military department, §6-64-1003.

Execution of bond by surety company.

Amount, §6-64-1003.

Minority scholarship or grant programs.

Annual review, §6-82-102.

Monticello.

Boards or commissions.

Employees may not serve as voting members, §6-64-106.

Employees as ex officio members only of boards or commissions, §6-64-106.

University of Arkansas at Monticello.

Established, §6-64-302.

Nepotism.

Board of trustees.

Employment of relatives.

Exceptions, §6-64-214.

Liability for drawing warrants in favor of relatives, §6-64-214.

Nurses.

College of nursing.

Improvements.

Use of funds, §6-64-417.

Online university.

EVarsity, §6-64-305.

Penalties.

Accounts and accounting, §6-64-1001.

Pharmacists and pharmacies.

School of pharmacy.

Applicability of laws, §6-64-415.

Authorized, §6-64-410.

UNIVERSITY OF ARKANSAS

—Cont'd

Pharmacists and pharmacies

—Cont'd

School of pharmacy —Cont'd

Improvements.

Use of funds, §6-64-417.

Pine Bluff campus.

Arkansas evaluation center.

Duties, §6-5-703.

Establishment, §6-5-702.

Legislative findings, §6-5-701.

Delta student academic success plan, §6-15-1901.

University of Arkansas at Pine Bluff.

Established, §6-64-303.

Programs, §6-64-303.

Publications.

Division of agriculture.

Bureau of research and statistics.

Use of material and information in publications, §6-64-715.

Radio.

Basketball games, §6-64-104.

Football games, §6-64-104.

Real property.

Donated land.

Execution of deed, §6-64-218.

Power to sell, §6-64-218.

Records.

Financial assistance.

Applications, §6-80-101.

Reports.

Expenditures, §6-64-216.

Financial assistance.

Applications, §6-80-101.

Radio broadcasting of football and basketball games, §6-64-104.

Research, education and technical extension.

Assistance and guidance for research to government, education and business interest, §6-64-906.

Center to offer advanced instruction and engage in research and educational services, §6-64-903.

Computer and technical library facilities.

Authorized, §6-64-904.

Contracts.

Authority to contract to perform research services, §6-64-905.

Authorized, §6-64-908.

Divisions of center, §6-64-901.

Employees.

Service on boards or commissions, §6-64-106.

UNIVERSITY OF ARKANSAS

—Cont'd

Research, education and technical extension —Cont'd

Establishment.

Authorized, §6-64-901.

Expansion and reorganization to be from surplus financial resources.

Authorized use of resources, §6-64-907.

Graduate institute of technology, §6-64-902.

Guidance and assistance for research to government, education and business interests, §6-64-906.

Industrial research and extension center, §6-64-902.

Leases authorized, §6-64-908.

Library.

Computer and technical library facilities authorized, §6-64-904.

Operation.

Authorized, §6-64-901.

Research and educational services.

Center to offer advanced instruction and engage in research and educational services, §6-64-903.

Contracting to perform, §6-64-905.

Grants and gifts.

Acceptance, §6-64-905.

Surplus financial resources.

Extension and reorganization from surplus resources.

Authorized use of resources, §6-64-907.

Rules.

Government of university, §6-64-203.

Revolving loan fund, §6-81-406.

Scholarships.

Minority scholarship or grant program.

Annual review by state board of higher education, §6-82-102.

Service of process.

Board of trustees.

Removal of members.

Charges brought against members, §§6-64-204, 6-64-205.

Southern regional education compact.

Board of trustees.

Designation of board as state agent for out-of-state education, §6-4-104.

Disbursing agent for student accepted under program, §6-4-107.

UNIVERSITY OF ARKANSAS

—Cont'd

Southern regional education compact —Cont'd

Board of trustees —Cont'd

Payment by board for accepted students, §6-4-105.

State Medical center.

General provisions, §§6-64-401 to 6-64-416.

Taxation.

Legal education fund.

Bond issues.

Exemption from tax, §6-64-614.

Teachers.

Salaries, §6-64-210.

Technology institute.

Construction and improvement of property authorized, §6-64-805.

Contributions.

Acceptance, §6-64-804.

Course of study.

Offerings for courses, §6-64-802.

Establishment.

Authorized, §6-64-801.

Funds, §6-64-803.

Use of funds, §6-64-803.

Grants in aid, §6-64-804.

Operation.

Authorized, §6-64-801.

Research contracts, §6-64-804.

Transportation.

Research and education program.

Funding, §6-64-1010.

United States.

Division of agriculture.

Bureau of research and statistics.

Collaboration with United States bureau, §6-64-714.

Contracts with United States, §6-64-713.

Federal land grant of 1862.

Acceptance, §6-60-101.

Conditions imposed by grant.

Acceptance of conditions, §6-60-101.

Warrants for the payment of money.

Board of trustees.

Nepotism.

Liability for drawing warrants in favor of relatives, §6-64-214.

UNIVERSITY OF ARKANSAS AT LITTLE ROCK.**College of information science and engineering**, §§6-64-1101 to 6-64-1103.

Creation, §6-64-1102.

UNIVERSITY OF ARKANSAS AT LITTLE ROCK —Cont'd

College of information science and engineering —Cont'd

Funding, §6-64-1102.

Legislative findings, §6-64-1101.

Criminal justice institute.

Police corps program.

Administration, §§6-82-1204 to
6-82-1206.

Established, §6-64-301.

Operation, §6-64-301.

Research, education and technical extension.

Little Rock graduate center, §6-64-902.

UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES.

Admissions, §6-64-406.

Allocation by congressional districts,
state at-large and nonresidents.

Selection, §6-64-406.

Medical admissions board, §6-64-405.

Appointment of members, §6-64-405.

Compensation of members,
§6-64-405.

Composition, §6-64-405.

Number of members, §6-64-405.

Rules, §6-64-405.

Publication of policies and procedures,
§6-64-406.

Transfer students.

Criteria for considering and
approving, §6-64-407.

Adult sickle cell clinic, §6-64-419.

Adult sickle disease program,
§6-64-420.

Alcoholism and drug abuse prevention.

Chair on, §6-64-412.

Allowances.

Special allowances, §6-64-413.

Alternates.

Rural medical practice loans,
§6-81-718.

Applicability of laws, §6-64-415.

Board of trustees.

Control and management by board,
§6-64-402.

College of public health.

Collaboration, §6-64-418.

Cost of maintenance, §6-64-408.

Dental education center, §6-64-421.

Dispute resolution.

Rural medical practice student loans
and scholarships.

Decisions of board, §6-81-714.

Family practice department,
§6-64-409.

UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES —Cont'd

Fees.

Collection and disposition, §6-64-408.

Tuition and matriculation, §6-64-408.

Maintenance as part of university,
§6-64-401.

Cost of maintenance, §6-64-403.

Name, §6-64-401.

North central area health education center.

Establishment, §6-64-416.

Nurses.

Advanced practice nurses at area
health education centers,
§6-64-422.

Psychiatric research institute.

ARSafeSchools, school safety and crisis
line, §§6-18-111, 6-18-112.

Recruitment of faculty and staff members.

Special allowances, §6-64-413.

Reports.

Progress reports on programs,
§6-64-413.

Rural medical practice student loans and scholarships.

Actions pending, noninterference with,
§6-81-721.

Amount of loans.

Maximum amount, §6-81-707.

Applications.

Investigation, §6-81-704.

Qualifications of students,
§6-81-703.

Board.

Compensation, §6-81-702.

Composition, §6-81-702.

Duties, §6-81-702.

Established, §6-81-702.

Powers, §6-81-702.

Reports.

Contents, §6-81-711.

Distribution, §6-81-711.

Travel expenses, §6-81-702.

Community match loan and
scholarship program.

Administration of program,
§6-81-715.

Conditions, §6-81-716.

Contract, §6-81-716.

Damages, §6-81-710.

Effect of sunset amendments,
§6-81-722.

Grant of incentives, §6-81-715.

Obligations, §6-81-716.

Tracking loan contract compliance,
§6-81-719.

**UNIVERSITY OF ARKANSAS FOR
MEDICAL SCIENCES —Cont'd**

**Rural medical practice student
loans and scholarships —Cont'd**

Contracts.

Loan contracts, §6-81-708.

Damages.

Funding of loans, §6-81-710.

Definitions, §6-81-701.

Dispute resolution, §6-81-714.

Funding of loans, §6-81-710.

Initial loans.

Requirements, §6-81-706.

Investigation after application,
§6-81-704.

Legislative declaration.

Purpose of loans, §6-81-705.

Maximum amount of loans, §6-81-707.

Medical school alternates, §6-81-718.

Obligations and conditions, §6-81-708.

Osteopathic rural medical practice
student loans and scholarships,
§§6-81-1801 to 6-81-1817.

Payment for loans drawn against
funds held in trust, §6-81-710.

Program administrator, §6-81-720.

Publication of policies and procedures,
§6-64-406.

Purpose of loans, §6-81-705.

Qualifications of students, §6-81-703.

Renewal loans.

Requirements, §6-81-706.

Sunset clause, §6-81-722.

Trust funds.

Payment for loans drawn against
funds held in trust, §6-81-710.

Scholarships, §6-64-408.

Sickle cell disease.

Adult sickle cell clinic, §6-64-419.

Adult sickle disease program,
§6-64-420.

Special allowances, §6-64-413.

State medical center.

Legislative declaration, §6-64-501.

Medical indigents.

Billings to patients, §6-64-508.

Certification procedure, §6-64-504.

Collections from patients, §6-64-508.

Determination of status, §6-64-503.

Other patients.

Admission not affected by
provisions, §6-64-502.

Quota of patients from counties and
municipalities, §§6-64-505 to
6-64-507.

Status as.

Determination, §6-64-503.

**UNIVERSITY OF ARKANSAS FOR
MEDICAL SCIENCES —Cont'd**

State medical center —Cont'd

Paying patients, §6-64-509.

Admissions, §§6-64-502, 6-64-509.

Policies.

Review and development of policies
and practices, §6-64-404.

Purpose of provisions, §6-64-501.

Quota of patients from counties and
municipalities, §6-64-505.

Failure to pay.

Withholding state funds,
§6-64-507.

Patients not charged against quotas,
§6-64-506.

Statement mailed to county or
municipality, §6-64-507.

Review and development of policies
and practices, §6-64-404.

Students.

Applicability of laws, §6-64-415.

Tuition.

Fees, §6-64-408.

**UNIVERSITY OF CENTRAL
ARKANSAS.**

Accounts and accounting.

Board of trustees, §6-67-111.

Appeals.

Board of trustees.

Removal of members, §6-67-102.

Board of trustees.

Accounts and accounting, §6-67-111.

Appeals.

Removal of members, §6-67-102.

Appointment of members, §6-67-102.

Composition, §6-67-102.

Course of study.

Prescribing, §6-67-105.

Creation, §6-67-102.

Duties, §6-67-103.

Expenditures.

Limitation, §6-67-112.

Expenses of members, §6-67-102.

Funds.

Duties of treasurer of state,
§6-67-111.

Number of members, §6-67-102.

Officers, §6-67-102.

Powers, §6-67-103.

Property.

Powers as to, §6-67-103.

Qualifications of members, §6-67-102.

Quorum, §6-67-102.

Removal of members, §6-67-102.

Reports.

Biennial report to general assembly,
§6-67-114.

UNIVERSITY OF CENTRAL ARKANSAS —Cont'd

Board of trustees —Cont'd

Rules, §6-67-103.

Model school, §6-67-106.

Terms of members, §6-67-102.

Vacancies, §6-67-102.

Courses of study, §6-67-105.

Employees.

Payroll deductions.

University of Central Arkansas
Foundation, Inc.

Contributions to, §6-67-113.

Established, §6-67-101.

Expenditures.

Limitation.

Duty of board of trustees, §6-67-112.

Federal aid.

Participation in federal and state aid.

Authorized, §6-67-104.

Foundation.

Contributions to.

Payroll deductions, §6-67-113.

Funds.

Board of trustees.

Duties of treasurer of state,
§6-67-111.

Instructors.

Selection, §6-67-107.

Model school, §6-67-106.

Property.

Board of trustees.

Powers as to property, §6-67-102.

Pupils.

Selection, §6-67-107.

Purpose, §6-67-101.

Reports.

Board of trustees.

Biennial report to general assembly,
§6-67-114.

Rules.

Board of trustees, §6-67-103.

Model school, §6-67-106.

State aid.

Participation in federal and state aid.

Authorized, §6-67-104.

Treasurer of state.

Funds.

Duties, §6-67-111.

V

VETERANS.

Colleges and universities.

Tuition.

In-state tuition for veterans,
military personnel and
dependents, §6-60-205.

VETERANS —Cont'd

Education.

Korean War veterans.

Awarding high school diploma for
honorably service, §6-16-134.

Vietnam War veterans.

Awarding high school diploma for
honorably service, §6-16-134.

World War II veterans.

Awarding high school diploma for
honorably service, §6-16-133.

Korean War.

High school diploma.

Awarding for honorably service,
§6-16-134.

Vietnam war.

High school diploma.

Awarding for honorably service,
§6-16-134.

World War II.

High school diploma.

Awarding for honorably service,
§6-16-133.

VETERINARIANS.

Education.

Student loan repayment assistance
program, §§6-81-1105, 6-81-1106.

Food supply veterinary medicine.

Student loan repayment assistance
program, §§6-81-1105, 6-81-1106.

Loans.

Student loan repayment assistance
program, §§6-81-1105, 6-81-1106.

Southern Arkansas university.

School of veterinary medicine,
§6-65-413.

Student loan repayment assistance program, §§6-81-1105, 6-81-1106.

Tuition assistance for residents attending out of state veterinary schools, §6-81-1101.

VETERINARY MEDICAL SCHOOLS.

Tuition assistance for residents attending out of state schools, §6-81-1101.

VIDEO RECORDING DEVICES.

Digital video and audio recording devices.

School discipline policy and
exemptions concerning possession
and use by students.

Personal electronic devices.

School district may establish,
§6-18-515.

VISUAL ARTS, §6-16-130.

VITAL RECORDS.**Education.**

- Certificates of birth.
- Presentation required by pupils,
§6-18-208.

VOCATIONAL EDUCATION AND REHABILITATION.**Accounts and accounting.**

- Acceptance of benefits of congressional act.
- Statement of finances, §6-51-214.
- Career and technical education division.
- Statement of finances, §6-51-214.

Accreditation.

- Postsecondary vocational and technical education.
- Reorganization act of 1991.
- Interim accreditation, §6-53-209.

Admissions.

- Required admission for certain students, §6-51-103.

Agriculture.

- Contracts with vocational agriculture teachers to be on twelve month basis, §6-17-802.

Apprenticeship training program, §6-52-201.

- Allocation of state funds, §6-52-207.
- Applicability of subchapter, §6-52-202.
- Apprenticeship coordination steering committee.
- Appointment, §6-52-204.
- Duties, §6-52-205.
- Recommendations, §6-52-206.
- Construction industry craft training program, §§6-55-101 to 6-55-108.
- Planning duties as to, §6-55-104.
- Program plan, §6-55-105.
- Public policy, §6-55-102.
- Rules, §6-55-108.
- Title of act, §6-55-101.
- Trust fund, §§6-55-105 to 6-55-107.
- Cosponsorship, §6-52-207.
- Director, §6-52-207.
- Duties of sponsors, §6-52-208.
- Fees, §6-52-207.
- Qualifications of members, §6-52-204.
- Rules, §6-52-203.
- Sponsors.
- Cosponsorship, §6-52-207.
- Duties, §6-52-208.
- Terms of office, §6-52-204.

Appropriations.

- Acceptance of benefits of congressional act, §6-51-211.
- Accounts and accounting.
- Statement of finances, §6-51-214.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Appropriations —Cont'd**

- Acceptance of benefits of congressional act —Cont'd
- Assistants appointed by commissioner of elementary and secondary education, §6-51-213.
- Board of education.
- Designation to administer federal and state acts, §6-51-213.
- Disbursement, §6-51-212.
- Records.
- Keeping at capitol, §6-51-213.
- Reports, §6-51-214.
- State treasurer as custodian of funds, §6-51-212.

Area vocational-technical and adult education schools.

- Branches.
- Establishment in public schools, §6-51-204.
- Determination of location of schools, §6-51-203.
- Equipment, §6-51-205.
- Establishment authorized, §6-51-202.
- Gifts and donations, acceptance, §6-51-207.
- Higher education coordinating board.
- Establishment of schools authorized, §6-51-202.
- Gifts and donations.
- Power to accept, §6-51-207.
- Receipt and administration of federal funds, §6-51-201.
- Local boards.
- Sale, conveyance or lease of unneeded lands, §6-51-206.
- Location.
- Determination, §6-51-203.
- Operation.
- Responsibility of board, §6-51-205.
- Personnel, §6-51-205.
- Priority, §6-51-105.
- Public schools.
- Establishment of branches or special instruction and training in public schools, §6-51-204.
- State board.
- Operation.
- Responsibility of state board, §6-51-205.
- Sale, conveyance or lease of unneeded lands, §6-51-206.

Arkansas industry training program.

- Existing industries.
- Training of workers in, §6-50-102.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Arkansas State University Three Rivers**, §§6-54-101 to 6-54-104.**Awards for successful completion of programs**, §6-16-140.**Blind and visually impaired.**

Postsecondary vocational and technical education.

Reorganization act of 1991.

Licensed blind vendors, §6-53-106.

Board of education.

Administration of federal and state acts, §6-51-213.

Bond issues.

Buildings, §6-51-216.

Buildings and facilities.

Authority of state board of vocational education to acquire, §6-51-216.

Bond issues.

Indebtedness obligation of board and school, not of state, §6-51-216.

Issuance, §6-51-216.

Laws governing bonds, §6-51-216.

Obligation of board and school, not state, §6-51-216.

Laws governing bonds, §6-51-216.

State board of vocational education.

Authority to acquire, §6-51-216.

Capital outlays.

Postsecondary vocational and technical education.

Reorganization act of 1991, §6-53-207.

Career and technical education division.

Accounts and accounting.

Statement of finances, §6-51-214.

Reports, §6-51-214.

College and career readiness standards for programs, §§6-5-1001 to 6-5-1004.

Earning of postsecondary credits, §6-5-1002.

Legislative findings, §6-5-1001.

Program of study, §6-5-1002.

Standards, §6-5-1003.

Technical skills assessments, §6-5-1004.

Colleges and universities.

Postsecondary vocational and technical education.

Generally, §§6-51-901 to 6-51-907.

Reorganization act of 1991.

Generally, §§6-53-101 to 6-53-505.

College transfer programs.

Postsecondary vocational and technical education.

Approval of programs, §6-53-205.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Community-based education centers.**

Advisory council.

Creation, §6-51-805.

Approval of center.

Criteria, §6-51-801.

Board of host school.

Advisory council.

Creation of general advisory council, §6-51-805.

Ownership of property, §6-51-804.

Board of school superintendents, §6-51-804.

Capital equipment.

Ownership, §6-51-804.

Criteria.

Establishment, §6-51-801.

Periodic review and revision, §6-51-801.

Satisfaction.

Approval of center, §6-51-801.

Funding, §6-51-803.

Local education agencies.

Centers declared to meet definition of, §6-51-806.

Policies, §6-51-802.

Property ownership, §6-51-804.

State board of vocational education.

Policies for centers.

Established by board, §6-51-802.

Construction industry craft training, §§6-55-101 to 6-55-108.**Contracts.**

Agriculture teachers.

Twelve month basis of contracts, §6-17-802.

Postsecondary vocational and technical education.

Local board of directors.

Contractual authority, §6-51-904.

Private organizations, §6-50-101.

Definitions.

Apprenticeship training program, §6-52-201.

Postsecondary vocational and technical education.

Reorganization act of 1991, §6-53-103.

Tech-prep education, §6-53-501.

Elections.

Postsecondary vocational and technical education.

Technical colleges.

County designation of undedicated sales and use tax for, §6-53-307.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd

Equipment pools.

Postsecondary vocational and technical education.

Reorganization act of 1991,
§6-53-206.

Existing industries.

Training of workers in, §6-50-102.

Existing workforce training act, §§6-50-701 to 6-50-705.

Eye protection, §6-51-102.

Federal aid.

State board of vocational education.

Designation as state educational
authority, §6-11-113.

Fees.

Motor vehicles used by schools exempt
from taxes and license fees,
§6-51-101.

Student fees, §6-51-208.

Disposition of income, §6-51-210.

Higher education coordinating board.

Area vocational-technical and adult
education schools.

Establishment of schools authorized,
§6-51-202.

Gifts and donations.

Power to accept, §6-51-207.

Receipt and administration of
federal funds, §6-51-201.

High schools.

Vocational-technical high schools
permitted, §6-16-306.

Illiteracy.

Combating illiteracy.

Priority, §6-51-105.

Postsecondary vocational and technical
education.

Reorganization act of 1991.

Coordination with secondary
vocational-technical education
and literacy programs,
§6-53-306.

Industrial training in workplace.

Priority, §6-51-105.

Insurance.

Accident insurance for students,
§6-51-209.

Licenses.

Motor vehicles used by schools exempt
from license fees, §6-51-101.

Marketing and services provided outside of service areas.

State-supported two-year institutions,
§6-50-104.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd

Motor vehicles.

Exemption from taxes and license fees,
§6-51-101.

Registration of vehicles used for school
purposes, §6-51-101.

Multidistrict vocational centers.

Approval of establishment, §6-51-302.

Center council, §6-51-304.

Duties, §6-51-304.

Establishment.

Approval, §6-51-302.

Financing, §6-51-305.

Proposed new centers, §6-51-301.

Request for proposed new center,
§6-51-301.

State aid, §6-51-305.

State board.

Administration, §6-51-303.

Nurses.

Associate of applied science degree.

Establishment of program,
§6-51-701.

Granting, §6-51-703.

Nature of program, §6-51-702.

Postsecondary vocational and technical education, §§6-51-901 to 6-51-907.

Accountability measures, §6-51-902.

Accreditation.

Reorganization act of 1991.

Interim accreditation, §6-53-209.

Capital outlays.

Reorganization act of 1991,
§6-53-207.

College transfer courses, §6-51-907.

College transfer programs, §6-53-205.

Comprehensive lifelong learning
centers.

Generally, §6-51-906.

Declaration of purpose, §6-51-901.

Definitions.

Tech-prep education, §6-53-501.

Equipment pools.

Reorganization act of 1991,
§6-53-206.

Expanded associate degrees.

Instruction, §6-51-907.

Housing allowance for college
president, §6-61-525.

Local board of directors.

Appointment of members, §6-51-903.

Contractual authority, §6-51-904.

Duties, §6-51-904.

Governing authority, §6-51-903.

Powers, §6-51-904.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Postsecondary vocational and technical education —Cont'd**

Local board of directors —Cont'd

Qualifications of members,
§6-51-903.

Rulemaking authority, §6-51-904.

Terms of members, §6-51-903.

Successors filling vacancies,
§6-51-903.

Vacancies on board.

Filling, §6-51-903.

Performance indicators, §6-51-902.

Presidents of institutions, §6-53-303.

Housing allowance, §6-61-525.

Purpose of subchapter, §6-51-901.

Reorganization act of 1991.

Accreditation.

Interim accreditation, §6-53-209.

Administration of courses, programs
and institutions.College transfer programs,
§6-53-205.

Generally, §6-53-201.

Interim governance, §6-53-209.

Blind vendors who are licenses,
§6-53-106.

Capital outlays, §6-53-207.

College transfer programs.

Approval, §6-53-205.

Conversions and consolidations.

Community colleges.

Acceptance of technical college
as branch campus of
community college,
§6-53-404.Conversion of technical colleges
to community colleges,
§6-53-403.Consolidation procedure,
§6-53-405.Coordination with institutional
boards of trustees, §6-53-401.Effect on employees and directors,
§6-53-107.

Technical colleges.

Acceptance as branch campus of
community college,
§6-53-404.Conversion of two-year branches
to technical colleges,
§6-53-402.Conversion to community
colleges, §6-53-403.

Two-year branches.

Conversion to technical colleges,
§6-53-402.**VOCATIONAL EDUCATION AND REHABILITATION —Cont'd****Postsecondary vocational and technical education —Cont'd**

Reorganization act of 1991 —Cont'd

Coordination with secondary
vocational-technical education
and literacy programs,
§6-53-306.

Definitions, §6-53-103.

Effect of chapter on existing law,
§6-53-104.

Equipment pools, §6-53-206.

Funding by state.

Withdrawal or withholding,
§6-53-105.Interim accreditation and
governance, §6-53-209.

Purpose of chapter, §6-53-102.

State board of higher education.

Duties.

Generally, §6-53-203.

Powers.

Generally, §6-53-203.

Tech-prep education.

Definitions, §6-53-501.

Federal funds.

Designation of agency to receive,
§6-53-505.

Generally, §6-53-501.

Grants for tech-prep education.

Applications, §6-53-503.

Approval of application, factors
considered, §6-53-504.

Title of chapter, §6-53-101.

Transfers to system after July 1,
1991, §6-53-210.

Student transportation, §6-53-305.

Student tuition and fees, §6-53-304.

Technical colleges.

Acceptance as branch campus of
community college, §6-53-404.Arkansas State University Three
Rivers, §§6-54-101 to 6-54-104.Bond issues for capital
improvements generally,
§§6-61-1001 to 6-61-1014.Coordination with secondary
vocational-technical education
and literacy programs,
§6-53-306.

County support, §6-53-307.

Designated part of system,
§6-53-301.

Institutions designated, §6-53-301.

Local board administration,
§§6-53-301, 6-53-302.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd

Postsecondary vocational and technical education —Cont'd

- Technical colleges —Cont'd
 - Merger with four-year institution.
 - Governance by board of trustees, §6-53-302.
 - Municipal contracts, §6-53-308.
 - Presidents of institutions, §6-53-303.
 - Technical college districts, §§6-53-601 to 6-53-605.
 - Transportation system for student, §6-53-305.
 - Tuition and fees, §6-53-304.
- Technical institutes.
 - Generally, §6-51-905.

Property.

- Sale of real or personal property.
 - Disposition of income from, §6-51-210.

Records.

- Appropriations.
 - Acceptance of benefits of congressional act.
 - Keeping at capitol, §6-51-213.
- State board of vocational education.
 - Record of proceedings, §6-11-111.

Registration.

- Motor vehicles used for school purposes, §6-51-101.

Reorganization act of 1991.

- Generally, §§6-53-101 to 6-53-505.

Reports.

- Acceptance of benefits of congressional act, §6-51-214.
- Career and technical education division, §6-51-214.

Rules.

- Apprenticeship training program, §6-52-203.
- Postsecondary vocational and technical education.
 - Local board of directors.
 - Rulemaking authority, §6-51-904.

School districts.

- Cooperation of various boards in establishing, §6-51-215.
- Taxation.
 - Use of funds raised by taxation, §6-51-215.

Schools.

- Change of name to "technical institute," §6-51-217.
- Priority, §6-51-105.

Seals and sealed instruments.

- State board.
 - Official seal, §6-11-107.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd

State board of education.

- Chairman of state board of vocational education, §6-11-103.
- Community-based education centers.
 - Criteria for centers.
 - Powers and duties, §6-51-801.
- Duties, §6-11-105.
- Federal aid.
 - Designation as state educational authority, §6-11-113.
- Meetings, §6-11-104.
- Powers, §6-11-105.
- Records.
 - Proceedings, §6-11-111.
- Seal, §6-11-107.
- Work-based learning program.
 - Duties of board, §6-50-505.

State board of vocational education.

- Area vocational-technical and adult education schools.
- Operation.
 - Responsibility of state board, §6-51-205.
- Buildings and facilities.
 - Authority of board to acquire and maintain, §6-51-216.
- Community-based education centers.
 - Policies for centers.
 - Established by board, §6-51-802.
- Multidistrict vocational centers.
 - Administration, §6-51-303.

Student organizations.

- Reimbursement for participation, §6-50-103.

Taxation.

- Motor vehicles used by schools exempt from taxes, §6-51-101.
- School districts.
 - Use of funds raised by taxation, §6-51-215.

Technical colleges.

- Arkansas State University Three Rivers, §§6-54-101 to 6-54-104.
- Generally, §§6-53-301 to 6-53-308.
- Technical college districts, §§6-53-601 to 6-53-605.

Technical institutes.

- Change of names of schools to, §6-51-217.
- Postsecondary vocational and technical education.
 - Generally, §6-51-905.

Training.

- Existing workforce training act, §§6-50-701 to 6-50-705.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Training —Cont'd**

Workforce development center authority act, §§6-50-801 to 6-50-810.

Vocational student organizations.

Reimbursement for student participation in, §6-50-103.

Work-based learning program.

Articulation of agreements, §6-50-505.

Citation of subchapter, §6-50-501.

Establishment, §6-50-503.

Findings of general assembly, §6-50-501.

Industries and occupations.

Selected for program, §6-50-503.

Legislative findings, §6-50-502.

Principles, §6-50-503.

State board of education.

Duties of board, §6-50-505.

Title of subchapter, §6-50-501.

Waiver of regulation, §6-50-505.

Workforce development center authority act, §§6-50-801 to 6-50-810.**VOTER REGISTRATION.****Identification of qualified voters.**

Verification of voter registration when voting.

School district elections, §6-14-123.

Verification of voter registration when voting.

School district elections, §6-14-123.

W**WAIVER.****Colleges and universities.**

General student fee charges waived for persons over sixty, §6-60-204.

Education.

Beginning of school year.

Request for waiver, §6-10-106.

Schools and education.

Annexation and consolidation.

Minimum school district size, waiver, §6-13-1613.

WARRANTS FOR THE PAYMENT OF MONEY.**Blind and visually impaired.**

School for the Blind.

Clothing and traveling expenses.

Application to payment of auditor's warrants in favor of counties, §6-43-110.

WARRANTS FOR THE PAYMENT OF MONEY —Cont'd**Blind and visually impaired —Cont'd**

School for the Blind —Cont'd

Clothing and traveling expenses —Cont'd

County treasurer to pay warrants, §6-43-110.

Disposition of warrants, §6-43-110.

Presenting warrants to county treasurer, §6-43-110.

State treasurer to receive warrants in payment, §6-43-110.

Colleges and universities.

Improvement districts.

Assessments.

Collection of assessments, §6-71-116.

Deaf, deaf or Hard of Hearing.

School for the Deaf.

Auditor to draw warrants, §6-43-308.

Clothing and traveling expenses, §6-43-110.

Education.

School districts.

Authority to draw warrants, §6-20-403.

Bonded indebtedness.

Description, §6-20-404.

Recording by treasurer before cashing, §6-20-404.

Required, §6-20-404.

Issuance of warrant to pay bond, §6-20-404.

Cashing warrants without description.

Liability of treasurer and bondsmen, §6-20-404.

Countersignatures required, §6-20-403.

Energy savings contract, §6-20-405.

Improperly drawn warrants.

Liability, §6-20-402.

Liability of treasurer and bondsmen, §6-20-404.

Petty cash fund.

Invoices, §6-20-409.

Limitations, §6-20-409.

Payments from fund stopped until supply delivered, §6-20-409.

Postdated warrants, §6-20-402.

Teachers.

Salaries, §6-17-918.

WARRANTS FOR THE PAYMENT OF MONEY —Cont'd**University of Arkansas.**

Board of trustees.

Nepotism.

Liability for drawing warrants in favor of relatives, §6-64-214.

WATER SUPPLY AND WATERWORKS.**Colleges and universities.**

Sale of water by state institutions of higher learning.

Prohibited, §6-62-101.

Void contracts, §6-62-101.

WESTARK COMMUNITY COLLEGE.**Employment models.**

Utilization, §6-61-1106.

Model programs, §6-61-1105.**President.**

Housing allowance, §6-61-525.

Sports programs, §6-61-1108.**WHISTLEBLOWER PROTECTION.****Colleges and universities.**

Clean air on campus.

Prohibition of smoking, §6-60-804.

WILDLIFE.**Conservation.**

Public school instruction in conservation, §6-16-1101.

WITNESSES.**School employees.**

Grievances.

Right to call witnesses, §6-17-210.

Teachers.

Grievance.

Right to call witnesses, §6-17-210.

WORKERS' COMPENSATION.**Colleges and universities, §§6-62-1001 to 6-62-1004.****Commission.**

Teachers and employees.

Exclusive jurisdiction vested in commission, §6-17-1402.

Rulemaking power, §6-17-1402.

Education.

Employees.

Coverage, §6-17-1401.

Exclusive jurisdiction vested in workers' compensation commission, §6-17-1402.

Forms, §6-17-1404.

Notification of award, §6-17-1405.

Reports.

Filing of report by school district officials, §6-17-1404.

WORKERS' COMPENSATION

—Cont'd

Education —Cont'd

Employees —Cont'd

Rulemaking power vested in commission, §6-17-1402.

Transfer of available federal funds, §6-17-1405.

School district employees.

Insurance carriers, §6-17-1413.

Liability of district, §6-17-1411.

Responsibility, §6-17-1412.

Rules.

Teachers, §6-17-1402.

Teachers.

Applicability of coverage, §6-17-1401.

Employees.

Method of financing coverage, §6-17-1403.

Exclusive jurisdiction of commission, §6-17-1402.

Forms, §6-17-1404.

Method of financing coverage, §6-17-1403.

Reports.

Filing report by school district officials, §6-17-1404.

Rulemaking power vested in commission, §6-17-1402.

WORKFORCE DEVELOPMENT CENTER AUTHORITY ACT, §§6-50-801 to 6-50-810.**Accounting, §6-50-809.****Agreement establishing terms and conditions of operation, §6-50-804.****Board of directors, §§6-50-805, 6-50-806.****Bond issues, §6-50-808.****Construction of provisions, §6-50-802.****Creation of authority, §6-50-804.****Definitions, §6-50-803.****Dissolution of authority, §6-50-810.****Financing of authority, §6-50-807.**

Bond issues, §6-50-808.

Deposit of funds received, §6-50-809.

Powers of board, §6-50-806.**Purpose of provisions, §6-50-802.****Reporting of accounts, §6-50-809.****Sponsors of authority, §6-50-804.****Taxation.**

Exemptions from property and income taxes, §6-50-807.

Financing of authority, §6-50-807.

Title of act, §6-50-801.

WORKFORCE INITIATIVE ACT.**Y****Colleges and universities.**

Workforce initiative funding priorities,
§6-60-107.

YEAR.**Fiscal year.**

Education.

School fiscal year for state,
§6-20-410.

**WORKFORCE INNOVATION AND
OPPORTUNITY ACT.****Workforce development board.**

Rehabilitation services provided,
§6-52-103.



